

THE HON'BLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.40619 OF 2016

ORDER:

The writ petition is filed by the petitioner seeking a writ of Certiorari to call for the records pertaining to F.I.R.No.375 of 2016 registered on the file of the fourth respondent for the offences under Sections 354, 323, IPC and Section 3(c)(e) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and to declare the same as illegal and arbitrary, and consequently, to quash the same.

Heard and perused the material.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present crime and that he has not committed any offence. He further submits that the fifth respondent has filed the present complaint with all false allegations only to harass the petitioner and as such, he prays this Court to quash the proceedings against the petitioner.

Considering the facts and circumstances of the case, this Court is not inclined to quash the proceedings against the petitioner at the threshold. However, taking into consideration the fact that the allegations made in the complaint are not so serious in nature, the fourth respondent is directed to complete the investigation without arresting the petitioner and file final report, if any, in accordance with law. The petitioner is directed to appear before the fourth respondent and execute a personal bond for a sum of Rs.5,000/- (Rupees five thousand only) with one surety for the likesum for his future appearance as and when required for the purpose of investigation.

.The writ petition is accordingly disposed of. Consequently, miscellaneous petitions, if any shall also stand disposed of.

JUSTICE RAJA ELANGO

23.11.2016
pln