

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.43205 of 2016

ORDER:

This writ petition under Article 226 of Constitution of India is filed seeking a writ of mandamus to declare the action of 3rd respondent in registering the F.I.R.No.199 of 2016 basing on the false complaint given by 4th respondent as illegal and arbitrary.

The case of the petitioner is that on the complaint given by 4th respondent, the 3rd respondent registered a case in F.I.R. No.199 of 2016 on 18.11.2016 for the offence punishable under Section 420 I.P.C. It is the case of the petitioner that he is implicated falsely and without verifying the genuineness of the complaint, the 3rd respondent is making attempts to arrest the petitioner.

The learned Additional Government Pleader for Home submitted that since a complaint is lodged by the 4th respondent, the 3rd respondent registered the present F.I.R. in accordance with law.

Now, the learned counsel for the petitioner submits that the petitioner is ready to cooperate for the investigation, but, however, he is apprehending arrest and harassment in the hands of 3rd respondent-police.

Considering the fact that the dispute arose out of business transaction between the father of the petitioner and the 4th respondent, who is the de facto complainant in the crime, the 3rd respondent is directed to complete the investigation in F.I.R. No.199 of 2016 without arresting the petitioner and file a final report, if any, in accordance with law. The petitioner is directed to appear before the 3rd respondent-police as and when required during the course of investigation.

Accordingly, the writ petition is disposed of. No costs.

Pending Miscellaneous Petitions, if any, shall stand closed.

RAJA ELANGO,J

14.12.2016.
Tsr



