

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.43261 of 2016

ORDER:

This writ petition under Article 226 of Constitution of India is filed seeking a writ of certiorari to call for the records pertaining to Crime No.820 of 2016 on the file of 2nd respondent and to quash the same as against the petitioners as arbitrary and illegal.

The case of the petitioners is that on the complaint given by 3rd respondent, the 2nd respondent registered a case in Crime No.820 of 2016 on 12.11.2016 for the offences punishable under Sections 420, 468, 471 and 473 IPC. It is the case of the petitioners that they are implicated falsely due to the business rivalry and to settle the dispute in connection with an offence under Section 138 of Negotiable Instruments Act instituted by the petitioners.

The learned Additional Government Pleader for Home submitted that since a complaint is lodged by the 3rd respondent, the 2nd respondent registered the present F.I.R. in accordance with law.

Now, the learned counsel for the petitioners submits that the petitioners are ready to cooperate for the investigation, but, however, they are apprehending arrest and harassment in the hands of 2nd respondent-police.

Considering the facts and circumstances of the case, the 2nd respondent is directed to complete the investigation in Crime No.225 of 2016 without arresting the petitioners and file a final report, if any, in accordance with law. The petitioners are directed to appear before the 2nd 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



