

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.42925 of 2016

ORDER:

1. This writ petition is filed by the petitioner under Article 226 of the Constitution of India seeking to quash the proceedings against him in FIR No.60 of 2016 on the file of the 3rd respondent.
2. Heard and perused the material available on record.
3. The above crime was registered for the offence under Sections 420 and 506 r/w 34 IPC. It is alleged that the 3rd respondent along with others joined as members in the chits run by the petitioner and the petitioner collected chit instalments and after completion of the chit period, he failed to pay the amount to the members, and further, the petitioner and others threatened the 3rd respondent and other members. It is the case of the petitioner that the 3rd respondent filed a civil suit for recovery of Rs.4,50,000/- against the petitioner basing on the blank promissory note and in order to harass the petitioner, the present complaint was lodged.
4. The petitioner filed this writ petition challenging the investigation in the above crime. This Court is not inclined to interfere with the investigation in the above crime. However, considering the grievance of the petitioner, the official respondents are directed to complete the investigation and file a final report, in accordance with law, without arresting the petitioner. The petitioner is directed to appear before the Station House Officer concerned as and when required and he is also directed to execute a personal bond for a sum of Rs.5,000/- (Rupees Five Thousand only) with one surety for the like sum to the satisfaction of the

Station House Officer concerned, as surety for his future appearance as and when required.

5. With the above direction, the Writ Petition is disposed of. No costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

RAJA ELANGO, J

Date: 9th December, 2016
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