

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.41482 of 2016

ORDER:

This writ petition under Article 226 of Constitution of India is filed seeking to declare the action of respondents 2 & 3 with regard to not implementing the provisions of Section 41-A Cr.P.C. in respect of FIR No.392 of 2016, dated 21.11.2016, as illegal and arbitrary.

Heard and perused the material available on record.

The case of the petitioner is that the 4th respondent lodged the present complaint against the petitioner alleging that on 21.11.2016 at about 11.00 hours, when the 4th respondent along with his staff are conducting survey on new railway line works, the petitioner came there and argued with the 4th respondent and assaulted the 4th respondent with hands by abusing them in filthy language demanding to stop commencing the works. The grievance of the petitioner is that respondents 2 & 3 are not implementing the provisions of Section 41-A of Cr.P.C.

Considering the grievance of the petitioner, respondents 2 & 3 are directed to follow the procedure contemplated in Section 41-A of Cr.P.C.

Accordingly, the Writ Petition is disposed of. No costs. Pending Miscellaneous Petitions, if any, shall stand closed.

RAJA ELANGO,J

Date: 30th November, 2016

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