

THE HON'BLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.40764 OF 2016

ORDER:

The writ petition is filed by the petitioner seeking a writ of mandamus declaring the action of the second respondent in registering F.I.R.No.101 of 2012 for the offences under Sections 406, 408, 409 and 468 IPC 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. Hence, 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 though the crime pertains to 2012, the second respondent has not taken steps to secure the petitioner, and as such, the second 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 second 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

24.11.2016
pln