

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.40001 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.119 of 2016 on the file of the 2nd respondent.

2. Heard and perused the material available on record.

3. It is the case of the petitioner that on 5.9.2016, the mother of the 3rd respondent and her sons attacked the petitioner with iron rod due to land disputes and when the brother of the petitioner came there, they fled away. On the complaint lodged by the petitioner, Crime No.118 of 2016 was registered against the 3rd respondent and his mother for the offence under Section 307 r/w 34 IPC. As a counter-blast, the 3rd respondent lodged a false complaint, basing on which the present crime was registered against the petitioner and others.

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, without expressing any opinion on merits, 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: 21st November, 2016
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