

THE HON'BLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.41747 OF 2016

ORDER:

The writ petition is filed by the petitioners seeking a writ of mandamus declaring the action of the third respondent in registering the crime No.678 of 2016 for the offences under Sections 420, 506 and 509 IPC read with Section 34 IPC, as illegal and arbitrary, and consequently to quash the same.

Heard and perused the material.

Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present crime and that they have not committed any offences. He further submits that earlier the Managing Director of Syscon ERM Services Private Limited filed a criminal complaint and also a civil suit against the respondents 4 and 5, and as a counter case to the said case and the civil suit, the respondents 4 and 5 filed the present complaint alleging that the petitioners and the Managing Director of the above company have collected the amounts to provide jobs to the complainant and others. He further submits that the first petitioner is a student and the second petitioner is an employee and they are not at all concerned with the alleged transactions, and as such, he prays this Court to direct the third respondent not to arrest the petitioners.

Considering the facts and circumstances of the case, the third respondent is directed to complete the investigation without arresting the petitioners and file final report, if any, in accordance with law. The petitioners are directed to appear before the third respondent and execute a personal bond for a sum of Rs.5,000/- (Rupees five thousand only) each with one surety for the likesum each for their future appearance 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

01.12.2016
pln

