

**HONOURABLE SRI JUSTICE RAJA ELANGO**

**WRIT PETITION No.41995 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 Crime No.303 of 2016 on the file of the 2<sup>nd</sup> respondent.
2. Heard and perused the material available on record.
3. The above crime was registered for the offence under Sections 420 and 406 IPC. It is alleged that the 3<sup>rd</sup> respondent lodged a complaint stating that he worked in Laxmi Starch Limited as operator and Union Leader. When the company declared lock out, the employees met the petitioner and filed a case in labour Court and the Labour Court ordered to reopen the company. The Management filed a case before this Court for their inability to pay the salaries. The 3<sup>rd</sup> respondent and other employees engaged the petitioner. This Court ordered to pay the salaries and as per the Court orders the company paid 50% of the salaries. As per their agreement, the complainant and other employees paid 14% commission to the advocate. They also paid an amount of Rs.4 lakhs towards court expenses. The petitioner promised to fight for the remaining salaries within three months. But he has not tried to file the case. The petitioner cheated the employees of the said company by taking money of Rs.40 lakhs. It is the grievance of the petitioner that the 3<sup>rd</sup> respondent filed a false case.
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, 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 the petitioner 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: 2<sup>nd</sup> December, 2016  
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HONOURABLE SRI JUSTICE RAJA ELANGO



Date: 2<sup>nd</sup> December, 2016

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