

THE HON'BLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.40771 OF 2016

ORDER:

The writ petition is filed by the petitioners seeking a writ of Certiorari to call for the records pertaining to F.I.R.No.356 of 2016 registered on the file of the second respondent for the offences under Sections 420, 506, 447 and 427 IPC and declare the same 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 offence. He further submits that there are civil disputes between the petitioners and the third respondent, and that the third respondent has filed the present complaint with all false allegations only to harass the petitioners. Hence, he prays this Court to quash the proceedings against the petitioners.

Considering the facts and circumstances of the case, this Court is not inclined to quash the proceedings against the petitioners at the threshold. However, taking into consideration the fact that there are civil disputes between the petitioners and the third respondent, the second 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 second 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 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
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