

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.43225 of 2016

ORDER:

This writ petition under Article 226 of Constitution of India is filed seeking a writ of mandamus declaring the issuance of F.I.R.No.152 of 2016 by the 3rd respondent as arbitrary and illegal.

The case of the petitioners is that on the complaint given by 4th respondent, the 3rd respondent registered a case against the petitioners in F.I.R. No.152 of 2016 for the offences punishable under Sections 143, 341, 353, 186, 189 r/w 149 IPC and Section 7(1) of Criminal Law Amendment Act, 1932. It is the case of the petitioners that they are implicated falsely due to the agitation regarding establishment of a chemical factory in the village and that they have not committed the offence as alleged in the complaint.

The learned Additional Government Pleader for Home submitted that since a complaint is lodged by the 4th respondent, the 3rd respondent registered the present F.I.R. in accordance with law.

Now, the learned counsel for the petitioners submits that the petitioners are ready to cooperate for the investigation, but, however, they are apprehending arrest and harassment in the hands of 3rd respondent-police.

Considering the facts and circumstances of the case, the 3rd respondent is directed to complete the investigation in F.I.R. No.152 of 2016 without arresting the petitioners and file a final report, if any, in accordance with law. The petitioners are directed to appear before the 3rd respondent-police and each of them shall execute a personal bond for a sum of Rs.5,000/- (Rupees five thousand only) with one surety for the

likesum and that they shall appear before the 3rd respondent daily at 10.00 a.m. for a period of one week commencing from 30th December, 2016.

Accordingly, the writ petition is disposed of. No costs.

Pending Miscellaneous Petitions, if any, shall stand closed.

14.12.2016.
Tsr

RAJA ELANGO,J



