

THE HON'BLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.41627 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 case being crime No.100 of 2015 registered for the offence under Section 420 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 of the offences as alleged against them. He further submits that the name of the petitioners were not found place in the FIR, but subsequently, they are included and as such, the learned counsel prays this Court to quash the same.

This Court is not inclined to quash the proceedings against the petitioners at the threshold. However, taking into consideration the fact that the names of the petitioners did not find place initially in the FIR., 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 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

30.11.2016
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