

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.36524 OF 2016

ORDER:

The present writ petition is filed by the petitioners seeking to declare the action of the 2nd respondent in registering Crime No.624 of 2016 against them and also threatening them to arrest in case they do not enter into a compromise with the 3rd respondent, as illegal and arbitrary, and consequently set aside the same.

The 3rd respondent lodged the above complaint against the petitioners alleging that the petitioners approached him that they are doing construction business and asked him to invest funds and promised to give 40% share. Believing their words, he invested huge amounts and thereafter, the petitioner without giving any shares in the company and withdrew the money invested by him and cheated him.

The main grievance of the petitioners is that the 3rd respondent is a close friend of the 2nd petitioner and approached them that he also invest money in the project and accordingly, he invested money and he was given 40% share and thereafter, he was given authorization to operate the account of the company and by taking advantage of the same, he cheated the company and therefore, a case was also registered against him on the basis of the complaint made by them.

The learned Assistant Government Pleader submitted that on the basis of the complaint, a case was registered against the petitioners, and the respondents are investigating into the matter in accordance with law.

Considering the facts and circumstances of the case and the grievance of the petitioners, without expressing any opinion on merits, the 2nd respondent is directed to complete the investigation in the above crime and file a final report, in accordance with law in either way, without arresting the petitioners. The petitioners are also directed to appear before the investigation officer concerned, as and when required for the purpose of investigation.

With the above directions, the Writ Petition is disposed of. No costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

October 28, 2016
KTL



RAJA ELANGO, J

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WRIT PETITION No:34584 OF 2016



17/10/2016

Nh.