

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.43351 of 2016

ORDER:

This writ petition under Article 226 of Constitution of India is filed seeking a writ of certiorari to call for the records in Crime No.193 of 2016 on the file of 2nd respondent and to quash the same as arbitrary and illegal.

The case of the petitioners is that on the complaint given by 3rd respondent alleging that the petitioners have scolded her touching upon her caste and also beaten her on 19.09.2016, the 2nd respondent registered a case against the petitioners in F.I.R. No.193 of 2016 for the offences punishable under Sections 323, 506 r/w 34 IPC and Section 3(1)(r)(s) of Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act. It is the case of the petitioners that they are implicated falsely due to the rivalry with the 3rd respondent 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 3rd respondent, the 2nd 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 2nd respondent-police.

Considering the facts and circumstances of the case, the 2nd respondent is directed to complete the investigation in F.I.R. No.193 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

4th 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 for their future appearance as and when required for the purpose of investigation.

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

Pending Miscellaneous Petitions, if any, shall stand closed.

14.12.2016.
Tsr

RAJA ELANGO,J



