

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.40069 of 2016

ORDER:

This writ petition under Article 226 of Constitution of India is filed seeking to declare the action of the 2nd respondent in registering the FIR No.727 of 2016, dated 15.10.2016, as illegal and arbitrary.

The allegations made in the complaint lodged by the 3rd respondent against the petitioners are that the petitioners along with the other flat owners, who are residing in Sairanga Residency Apartment where the 3rd respondent is also residing, are abusing the 3rd respondent in the name of her caste for the parking of their car in the parking place and causing inconvenience to the 3rd respondent and her family members and that basing on the said complaint, the 2nd respondent registered a case in Crime No.727 of 2016 for the offence punishable under Section 3(1)(s) of the Scheduled Castes and Schedule Tribes (Prevention of Atrocities) Act, 1989.

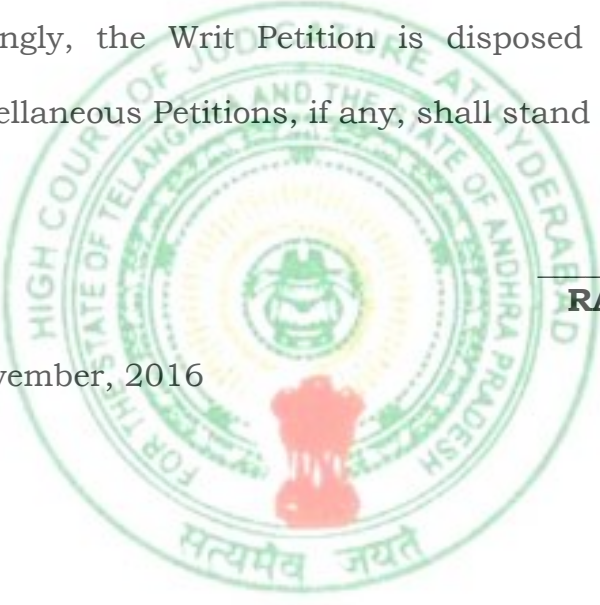
The grievance of the petitioners is that the 3rd respondent and her family members are creating nuisance very day with regard to parking their car and in that connection, the petitioners along with other flat owners have warned the 3rd respondent and her family members to keep their vehicle in the parking slot allotted to their flat and as such the 3rd respondent bore personal grudge against the petitioners and by taking undue advantage of their caste, lodged the present complaint before the 2nd respondent with all false and frivolous allegations.

Considering the grievance of the petitioners, the 2nd respondent is directed to complete the investigation in FIR No.727 of 2016 as expeditiously as possible and file a final report, if any, either way in accordance with law, without arresting the petitioners. In case, if any charge sheet is filed and summons are received by the petitioners, they shall appear before the Court concerned and execute a personal bond for a sum of Rs.5,000/- (Rupees five thousand only) each with one surety each to the satisfaction of the concerned Court for their future appearance before the concerned Court.

Accordingly, the Writ Petition is disposed of. No costs. Pending Miscellaneous Petitions, if any, shall stand closed.

Date: 21st November, 2016

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RAJA ELANGO,J