

THE HON'BLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.44162 OF 2016

ORDER:

The writ petition is filed by the petitioner seeking a writ of mandamus declaring the action of the third respondent in registering the crime No.678 of 2016 for the offences under Sections 420, 506 and 509 IPC read with Section 34 IPC, as illegal and arbitrary, and consequently to quash the same.

Heard and perused the material.

Learned Counsel for the petitioner submits that the petitioner has been falsely implicated in the present crime and that he has not committed any offences. He further submits that earlier the Managing Director of Syscon ERLS Services Private Limited filed a criminal complaint and also a civil suit against respondents Nos.4 and 5, and as a counter blast to the said case and the civil suit, respondents Nos.4 and 5 filed the present complaint alleging that the petitioner and the Managing Director of the above company have collected the amounts to provide jobs to the complainant and others. He further submits that the petitioner is a Government employee and he is not at all concerned with the alleged transactions, and as such, he prays this Court to direct the third respondent not to arrest the petitioner.

Considering the facts and circumstances of the case, the third respondent is directed to complete the investigation without arresting the petitioner and file a final report, if any, in accordance with law. The petitioner is directed to appear before the third respondent and execute a personal bond for a sum of Rs.5,000/- (Rupees five thousand only) with one surety for the like sum for his future appearance 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

Dated: 19.12.2016
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