

THE HON'BLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.39295 OF 2016

ORDER:

The writ petition is filed by the petitioners seeking a writ of mandamus declaring the F.I.R.No.268 of 2016 on the file of the fourth respondent against the petitioners 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 for the offences under Sections 323, 354, 504 IPC read with Section 34 IPC, and Sections 3(i)(R)(w)(i), 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, and that the petitioners have not committed any offences. Hence, the learned counsel prays this Court to quash the proceedings against the petitioners herein.

Considering the facts and circumstances of the case, this Court is not inclined to quash the proceedings against the petitioners. However, taking into consideration the fact that there are civil disputes between the petitioners and the fifth respondent and a suit being O.S.No.338 of 2013 is also filed by the fifth respondent, the fourth 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 fourth 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 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

15.11.2016

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