

THE HON'BLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.39366 OF 2016

ORDER:

The writ petition is filed by the petitioner seeking a writ of Certiorari calling for records pertaining to F.I.R.No.137 of 2016 registered on the file of the third respondent for the offences under Sections 290 and 504 IPC and Section 3(1)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and consequently, to quash the same declaring it as illegal and arbitrary.

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 offence. He further submits that the fourth respondent has filed the present complaint with all false allegations. Hence, he prays this Court to quash the proceedings against the petitioner.

Considering the facts and circumstances of the case, this Court is not inclined to quash the proceedings against the petitioner. However, taking into consideration the fact that the case is arising out of a sudden quarrel and also as the petitioner and the fourth respondent are Principal and Lecturer respectively, the third respondent is directed to complete the investigation without arresting the petitioner and file 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.10,000/- (Rupees ten thousand only) with one surety for the likesum for his future appearance as and when required 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
pln