

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.41860 of 2016

ORDER:

1. This writ petition is filed by the petitioners under Article 226 of the Constitution of India seeking to quash the proceedings against them in FIR No.151 of 2016 on the file of the 4th respondent.
2. Heard and perused the material available on record.
3. The above crime was registered for the offence under Sections 290, 323 r/w 34 IPC and Section 3(1)(x) of SCs & STs (POA) Act. It is alleged that the 5th respondent joined as a subscriber of two chits for One lakh each and after paying 13 monthly subscriptions, she became successful bidder of auction for the chit amount and when she asked for chit amount, 1st petitioner refused to give the money and when the 5th respondent went to the house of the 1st petitioner for money, the 1st petitioner scolded her and necked out her. It is the case of the petitioners that in the second month of the chits, the 5th respondent became successful bidder and she also took the amount. But she failed to pay the instalments. In order to avoid payment, she lodged a false complaint.
4. The petitioners filed this writ petition challenging the investigation in the above crime. This Court is not inclined to interfere with the investigation in the above crime. However, the official respondents are directed to complete the investigation and file a final report, in accordance with law, without arresting the petitioners. If any charge sheet is filed and any summons are issued to the petitioners to appear before the Court concerned, the petitioners are directed to appear before the Court concerned and execute a personal bond for a sum of Rs.5,000/- (Rupees Five Thousand only) with one surety each for the like sum each to the

satisfaction of the Court concerned, as surety for their future appearance as and when required.

5. With the above direction, the Writ Petition is disposed of. No costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

RAJA ELANGO, J

Date: 1st December, 2016
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