

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.46262 of 2016

ORDER:

1. This writ petition is filed by the petitioner under Article 226 of the Constitution of India seeking to quash the proceedings against him in FIR No.134 of 2016 on the file of the 1st respondent.
2. Heard and perused the material available on record.
3. It is alleged that the petitioner and others planned to kill the 3rd respondent-complainant as he held a panchayat in a cheating matter among the accused and others. Further, it is alleged that the accused have been making an unknown lady to talk to the complainant through her cell phone and troubling him and thus, the accused committed the offence under Sections 506 and 507 r/w 34 IPC. It is the case of the petitioner that the 3rd respondent styles himself as youth leader and as the petitioner did not pay mamool to the 3rd respondent, he lodged the present complaint with false allegations.
4. The petitioner 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, in view of the fact that the offences alleged against the petitioner are punishable with less than seven years imprisonment, the official respondents are directed to complete the investigation and file a final report, in accordance with law, without arresting the petitioner. The petitioner is directed to appear before the Station House Officer concerned as and when required and he is also directed to execute a personal bond for a sum of Rs.5,000/- (Rupees Five Thousand only) with one surety for the like sum to the satisfaction of the

Station House Officer concerned, as surety for his future appearance as and when required for the purpose of investigation.

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: 29th December, 2016
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