

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.44699 of 2016

ORDER:

This writ petition under Article 226 of Constitution of India is filed seeking a writ of mandamus to declare the action of 3rd respondent in registering the F.I.R.No.365 of 2016 basing on the complaint given by 4th respondent as illegal and arbitrary and consequently, to set aside the same.

The case of the petitioner is that on the complaint given by 4th respondent on 21.05.2016, the 3rd respondent registered a case in Crime No.365 of 2016 against the petitioner for the offences punishable under Sections 468, 471, 420 IPC. It is the case of the petitioner that she is implicated falsely and without verifying the genuineness of the complaint, the 3rd respondent is proceeding with the investigation.

The learned Assistant Government Pleader for Home submitted that since a complaint is lodged by the 4th respondent, the 3rd respondent registered the present F.I.R. in accordance with law.

Now, the learned counsel for the petitioner submits that the petitioner is ready to cooperate for the investigation, but, however, she is apprehending arrest and harassment in the hands of 3rd respondent-police.

Considering the fact that the petitioner is a lady, the 3rd respondent is directed to complete the investigation in Crime No.365 of 2016 without arresting the petitioner and file a final report, if any, in accordance with law. The petitioner is directed to appear before the 3rd respondent-police as and when required during the course of investigation.

Accordingly, the writ petition is disposed of. No costs.

Pending Miscellaneous Petitions, if any, shall stand closed.

RAJA ELANGO,J

21.12.2016.
Tsr



