

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.46482 of 2016

ORDER:

This writ petition is filed by the petitioner under Article 226 of the Constitution of India seeking to declare the F.I.R. No.147 of 2016 pending on the file of Respondent No.3 as illegal and arbitrary and consequently quash the same.

Heard the learned counsel for the petitioner and the learned Assistant Government Pleader for Home and perused the material available on record.

Admittedly, the case was registered on the basis of the reference made by the learned Magistrate under Section 156(3) Cr.P.C. Admittedly, the procedures were not followed by the learned Magistrate in forwarding the complaint for registration of the same.

The petitioner filed this writ petition challenging the investigation in the above crime. This Court is not inclined to interfere with the investigation. However, taking into consideration the facts and circumstances of the case, this Court is of the view that the investigation can be completed without arresting the petitioner.

Accordingly, the Police concerned are directed to complete the investigation and file a final report in the above Crime, in accordance with law, in either way, without arresting the petitioner. The petitioner is directed to appear before the 3rd respondent daily at 10.00 AM for a period of ten days.

With the above direction, the Writ Petition is disposed of. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

30-12-2016.
skmr

RAJA ELANGO, J

