

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.44139 of 2016

ORDER:

1. This writ petition is filed by the petitioner-A3 under Article 226 of the Constitution of India seeking to quash the proceedings against her in FIR No.310 of 2015 on the file of the 3rd respondent.

2. Heard and perused the material available on record.

3. It is stated in the affidavit that the above crime was registered for the offence under Sections 406, 420, 468 r/w 120(B) IPC alleging that A1 and A2 availed overdraft facility extended by the 4th respondent and mortgaged certain properties, against which the Bank officials initiated proceedings under Securitization Act, and in the mean time, the petitioner pledged her property towards security for the loan availed by A1 and A2 and subsequently, it was found that the said property was subjected to litigation. It is the case of the petitioner that she has nothing to do with the offence alleged against her and she never stood as guarantor.

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, 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 she 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 her 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: 19th December, 2016
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