

THE HON'BLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.41890 OF 2016

ORDER:

The writ petition is filed by the petitioners seeking a writ of mandamus declaring the action of the third respondent in registering the crime being F.I.R.No.255 of 2016 for the offences under Sections 447, 427, 457, 380 IPC read with Section 34 IPC as illegal and arbitrary, and consequently to quash the same.

Heard and perused the material.

Learned counsel for the petitioners submits that there are civil disputes between the petitioners and the fourth respondent, who is the complainant, and as such, a false complaint has been filed by the fourth respondent against the petitioners to compel the petitioners to come to his terms. He further submits that the petitioners have not committed any offence and as such, he prays this Court to quash the proceedings against the petitioners.

This Court is not inclined to quash the proceedings at the threshold. However, taking into consideration the fact that the allegations are not so serious in nature and also as the offences are punishable less than seven years, the third respondent is directed to complete the investigation without arresting the petitioners and file final report, if any, in accordance with law. The petitioners are directed to appear before the third respondent and execute a personal bond for a sum of Rs.5,000/- (Rupees five thousand only) each with one surety for the likesum each for their future appearance as and when required for the purpose of investigation.

The writ petition is accordingly disposed of. Consequently, miscellaneous petitions, if any shall also stand disposed of.

JUSTICE RAJA ELANGO

02.12.2016
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