

THE HON'BLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.40946 OF 2016

ORDER:

The writ petition is filed by the petitioner seeking a writ of mandamus declaring the action of the second respondent in registering crime No.1058 of 2016 for the offences under Section 420 IPC as illegal and arbitrary, and consequently, to quash the same.

Heard and perused the material.

Learned counsel for the petitioner submits that the third respondent lodged the complaint against the petitioner herein alleging that the petitioner collected money from the complainant to provide a police job. He further submits that the petitioner never took any amount from the complainant and that the complainant have grudge upon the petitioner over a trivial issue and as such, he has lodged the present complaint with all false and baseless allegations. Hence, he prays this Court to quash the proceedings against the petitioner.

This Court is not inclined to quash the proceedings against the petitioner at the threshold. However, considering the facts and circumstances of the case, the second respondent is directed to complete the investigation without arresting the petitioner and file final report, if any, in accordance with law. The petitioner is directed to appear before the second respondent and execute a personal bond for a sum of Rs.5,000/- (Rupees five thousand only) with one surety for the likesum for his 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

25.11.2016
pln