

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.40815 of 2016

ORDER:

1. This writ petition is filed by the petitioners under Article 226 of the Constitution of India seeking to quash the proceedings against them in FIR No.52 of 2016 on the file of the 3rd respondent.
2. Heard and perused the material available on record.
3. The above crime was registered for the offence under Sections 3(1) (r) (s) (w) (1) of SCs & STs (POA) Act r/w 34 IPC. It is alleged that while the 4th respondent was bathing, the 1st petitioner went there, closed her mouth and tried to commit rape on her. When she raised cries, he escaped. When the 4th respondent along with her husband and others went to the house of the 1st petitioner and questioned him about his misbehaviour, the petitioners abused them in the name of their caste, whereas it is the grievance of the petitioners that there are disputes between the petitioners and the 4th respondent with regard to cattle shed near the house of the 4th respondent and due to the said disputes, a false complaint was filed against them.
4. The petitioners 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, considering the fact that the alleged occurrence took place on 11.8.2016 and the present complaint was lodged on 15.8.2016, the official respondents are directed to complete the investigation and file a final report, in accordance with law, without arresting the petitioners. If any final report is filed against the petitioners and if any summons are issued to them by the Court concerned, they are directed to appear before the Court concerned and execute a personal bond for a sum of Rs.5,000/- (Rupees Five Thousand only) with one surety

each for the like sum each to the satisfaction of the Court concerned, as surety for their future appearance before the Court concerned.

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: 24th November, 2016
Nn



HONOURABLE SRI JUSTICE RAJA ELANGO



Date: 24th November, 2016

Nn