

THE HON'BLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.1132 OF 2017

ORDER:

The writ petition is filed by the petitioner seeking a writ of certiorari by calling for the records pertaining to the proceedings in crime No.39/X/2016 registered for the offences under Sections 448, 452, 506, 363 read with Section 511 IPC and declare the same as illegal and arbitrary, and consequently to quash the same.

Heard and perused the material.

Learned counsel for the petitioner submits that the present complaint is filed by the third respondent with all false allegations as in the other crime, the third respondent was arrested on being identified by the petitioner and as such, as a counter blast to the said case, the present complaint is lodged by the third respondent. He further submits that the petitioner has not committed any of the offences as alleged against him. Hence, he prays this Court to quash the proceedings against the petitioner.

This Court is not inclined to quash the proceedings at the threshold. However, taking into consideration 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

06.01.2017
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