

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.42473 OF 2016

ORDER:

This writ petition is filed seeking to issue a writ or order more particularly, one in the nature of writ of mandamus to declare the proceedings issued by respondent No.7 under Sections 91 and 161 Cr.P.C. on 24.11.2016 in Crime No.39 of 2016, dated 23.1.2016, as illegal and arbitrary and consequently, direct respondent No.7 to stay all further proceedings in the said notice.

2. Heard and perused the material available on record.

3. The offence alleged against the petitioner is punishable under Section 380 I.P.C.

4. Considering the facts and circumstances of the case and the grievance of the petitioner and in view of the fact that the petitioner is a lady, without expressing any opinion on merits, the petitioner is directed to appear before respondent No.7 as per the notice issued by him and respondent No.7 is directed to complete the investigation in the aforementioned crime and file a final report, in accordance with law in either way, without arresting the petitioner. The petitioner shall also execute a personal bond for a sum of Rs.5,000/- (Rupees five thousand only) with one surety for the like sum for her appearance as and when required for the purpose of investigation.

5. With the above direction, the Writ Petition is disposed of. There shall be no order as to costs.

6. Miscellaneous Petitions pending, if any, in this Writ Petition shall stand closed.

JUSTICE RAJA ELANGO

4.1.2017
AMD



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Date: 4.1.2017

AMD