

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.741 of 2017

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.650 of 2015 on the file of the 2nd respondent.
2. Heard and perused the material available on record.
3. As the private complaint lodged by the 3rd respondent was referred to the police under Section 156(3) Cr.P.C., the above crime was registered for the offence under Sections 323, 406, 420, 427, 447 and 506 r/w 34 IPC. It is alleged that the accused created some forged documents in order to grab the property of the 3rd respondent and when the 3rd respondent was present at his open plot, A1 to A5 and some other anti-social elements criminally trespassed into the same, damaged the structure and abused him in filthy language. It is the case of the petitioners that the 1st petitioner and his sons are the owners of the property in question and they have been in peaceful possession and enjoyment of the same.
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, the official respondents are directed to complete the investigation and file a final report, in accordance with law, without arresting the petitioners. The petitioners are directed to appear before the Station House Officer concerned as and when required and they are also directed to 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 Station House Officer concerned, as

surety for their future appearance as and when required for the purpose of investigation.

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: 5th January, 2017.

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