

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.41081 of 2016

ORDER:

This writ petition is filed by the petitioner under Article 226 of the Constitution of India seeking to declare the action of respondents 1 to 3 in registering of Crime in FIR No.494 of 2016, dated 20.11.2016, against the petitioners by the 3rd respondent, as illegal and arbitrary and consequently to set aside the same.

Heard and perused the material available on record.

The 4th respondent lodged the present complaint against the petitioners alleging that the petitioners tabbed the 4th respondent with knife with an intention to kill him and caused bleeding injuries, threatened with dire consequences to kill due to shop issue. Basing on the said complaint, the 3rd respondent registered a case in FIR NO.494 of 2016 on 20.11.2016 against the petitioners for the offences under Sections 307 & 506 read with 34 IPC.

The grievance of the petitioners is that the 3rd respondent is making hectic efforts to arrest the petitioners.

The petitioners filed this writ petition challenging the investigation in the above crime. This Court is not inclined to interfere with the investigation. However, taking into consideration the facts and circumstances of the case, this Court is of the view that the investigation can be completed without arresting the petitioners.

Accordingly, the 3rd respondent is directed to complete the investigation in FIR No.494 of 2016, as expeditiously as possible and file a final report, if any, either way in accordance with law, without arresting the petitioners. The petitioners are directed to report before the Investigation Officer concerned daily at 9.00 a.m. for a period of twenty

(20) days. The petitioners is further directed to execute personal bond for a sum of Rs.5,000/- (Rupees five thousand only) each with one surety for the like sum each to the satisfaction of the Investigation Officer concerned as surety for their future appearance for the purpose of investigation.

With the above directions, the Writ Petition is disposed of. No order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

RAJA ELANGO,J

Date: 4th January, 2017

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