

**THE HON'BLE SRI JUSTICE RAJA ELANGO**

**WRIT PETITION No.1134 OF 2017**

**ORDER:**

The writ petition is filed by the petitioner seeking a writ of mandamus declaring the action of the third respondent in seeking to arrest the petitioner in F.I.R.No.201 of 2015 for the offences under Sections 406 and 420 IPC as illegal and arbitrary, and consequently to direct the third respondent not to arrest the petitioner in the above said crime.

Heard and perused the material.

Learned counsel for the petitioner submits that the petitioner's daughter has filed the complaint against the accused for cheating her and other persons by collecting the amounts for providing jobs to them. Though the third respondent registered the case, he has not investigated the matter and has not filed the charge sheet, and as such, the petitioner's daughter filed a writ petition seeking a direction to the third respondent to complete investigation. Aggrieved over the same, the third respondent is trying to arrest the petitioner without therebeing any allegation against the petitioner, and as such, he seeks a direction to the third respondent not to arrest the petitioner.

Taking into consideration the facts and circumstances of the case, the third 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 third respondent and execute a personal bond for a sum of Rs.10,000/- ( Rupees ten thousand only) with one surety 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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