

HON'BLE SRI JUSTICE RAJA ELANGO

Writ Petition No.46067 of 2016

ORDER:

The Writ Petition is filed under Article 226 of the Constitution of India seeking to declare the crime No.142 of 2016 on the file of the 2nd respondent, as illegal and arbitrary and consequently quash the same.

Heard and perused the material available on record.

Having regard to the facts and circumstances of the case and also in view of the nature of offences alleged against petitioner are serious in nature, which have to be investigated into by the investigating agency, this Court is not inclined to interfere with the proceedings initiated against the petitioner.

However, taking into consideration the facts and circumstances of the case and also as the case is arising out of civil dispute, this Court is of the view that the investigation can be completed without arresting the petitioner.

Accordingly, the police concerned are directed to complete the investigation without arresting the petitioner and file the final report in accordance with law. The petitioner shall appear before the Investigating Officer as and when required by the investigating agency for the purpose of investigation.

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

Consequently, Miscellaneous Petitions pending, if any, in the Writ
Petition shall stand closed.

JUSTICE RAJA ELANGO

04th January, 2017

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