

THE HON' BLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.35444 of 2016

ORDER:

This Writ Petition is filed by the petitioner seeking to declare the action of the 1st respondent in registering Crime No.119 of 2016 on the file of Vempalli Police Station, Kadapa District, as illegal and arbitrary and consequently set aside the same.

Heard and perused the material available on record.

The petitioner and the 4th respondent are husband and wife. Their marriage took place in 2006. They blessed with two children. They lived happily till 2013, and thereafter, disputes arose between them. Therefore, the 4th respondent gave a complaint to the 1st respondent alleging that the petitioner is harassing her and is not maintaining the family. Basing on the same, Crime No.119 of 2016 for the offences under Sections 498-A and 506 IPC were registered against the petitioner.

The main grievance of the petitioner is that the 1st respondent did not conduct any enquiry and did not issue any notice to him and that he is trying to arrest him without following due process of law.

The learned Assistant Government Pleader submitted that on the basis of the complaint filed by the 4th respondent, a case was registered against the petitioner and the respondents are investigating into the matter in accordance with law.

Considering the facts and circumstances of the case and the grievance of the petitioner, without expressing any opinion on merits, respondents Nos.1 and 2 are directed to complete the investigation in Crime No.119 of 2016 of Vempalli Police Station, Kadapa District, and

file a final report, in accordance with law in either way, without arresting the petitioner.

With the above direction, the Writ Petition is disposed of. No costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

October 20, 2016.
KTL

RAJA ELANGO, J

