

THE HON'BLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.35222 of 2016

ORDER:

The writ petition is filed by the petitioners seeking a writ of mandamus declaring the action of the second respondent in registering the crime No.110 of 2016 for the offences under Sections 498-A IPC and Sections 3 and 4 of the Dowry Prohibition Act, though the complaint does not disclose the said offences, as illegal and arbitrary, and consequently to quash the same.

Heard and perused the material.

Learned counsel for the petitioners submits that the second respondent registered the crime against the petitioners herein on the basis of the complaint given by the third respondent though there the complaint does not disclose the ingredients of the offences stated above and as such, prays this Court to quash F.I.R.No.110 of 2016 on the file of the second respondent.

Considering the facts and circumstances of the case, this Court is not inclined to interfere with the investigation. However, taking into consideration the fact that the case is arising out of family disputes, the second respondent is directed to complete the investigation without arresting the petitioners and file final report, if any, in accordance with law. The petitioners are also directed to appear before the second respondent and execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) each with one surety each for their future appearance.

The writ petition is accordingly disposed of. Consequently, miscellaneous petitions, if any shall also stand disposed of.

JUSTICE RAJA ELANGO

19.10.2016
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