

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.43249 of 2016

ORDER:

This writ petition under Article 226 of Constitution of India is filed seeking a writ of certiorari to call for the records in Crime No.142 of 2016 on the file of 2nd respondent and to quash the same as arbitrary and illegal.

The case of the petitioner is that on the complaint given by 3rd respondent on 27.6.2016 alleging that the petitioner abused her husband and feeling humiliated, her husband consumed poison and died while undergoing treatment, the 2nd respondent registered a case against the petitioner in Crime No.142 of 2016 for the offence punishable under Section 306 IPC. Now, it is the grievance of the petitioner that he is implicated falsely due to the rivalry with the 3rd respondent and that he has not committed the offence as alleged in the complaint.

The learned Assistant Government Pleader for Home submitted that since a complaint is lodged by the 3rd respondent, the 2nd respondent registered the present F.I.R. in accordance with law.

Now, the learned counsel for the petitioner submits that the petitioner is ready to cooperate for the investigation, but, however, he is apprehending arrest and harassment in the hands of 2nd respondent-police.

Considering the facts and circumstances of the case, the 2nd respondent is directed to complete the investigation in Crime No.142 of 2016 without arresting the petitioner and file a final report, if any, in accordance with law. The petitioner is directed to appear before the 2nd respondent-police and shall execute a personal bond for a sum of

Rs.5,000/- (Rupees five thousand only) with one surety for the likesum for his future appearance as and when required for the purpose of investigation.

Accordingly, the writ petition is disposed of. No costs.

Pending Miscellaneous Petitions, if any, shall stand closed.

RAJA ELANGO,J

14.12.2016.
Tsr



