

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.39797 of 2016

ORDER:

1. This writ petition is filed by the petitioners under Article 226 of the Constitution of India seeking to quash the proceedings against them in FIR No.251 of 2015 on the file of the 2nd respondent.
2. Heard and perused the material available on record.
3. The above crime was registered for the offence under Sections 420, 406 and 467 r/w 34 IPC. It is the grievance of the petitioners that the 3rd respondent herein is the wife of the 1st petitioner. She filed a case against the petitioners for the offence under Section 498-A IPC in C.C.No.93 of 2013 and the same was ended in acquittal. She also filed DVC. The petitioners and the 3rd respondent entered into amicable settlement before the elders. Subsequently, the 3rd respondent filed a private complaint and on reference of the said complaint under Section 156(3) Cr.P.C., the above crime was registered.
4. The petitioners filed this writ petition challenging the investigation in the above crime. This Court is not inclined to interfere with the investigation in the above crime. However, considering the grievance of the petitioners, without expressing any opinion on merits, the official respondents are directed to complete the investigation and file a final report, in accordance with law, without arresting the petitioners. The petitioners are directed to appear before the Station House Officer concerned as and when required and they are also directed to execute a personal bond for a sum of Rs.5,000/- (Rupees Five Thousand only) with one surety each for the like sum each to the satisfaction of the Station

House Officer concerned, as surety for their future appearance as and when required.

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

RAJA ELANGO, J

Date: 18th November, 2016
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