

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.38267 of 2016

ORDER:

This writ petition is filed seeking to declare the action of the 2nd respondent in registering the FIR No.21 of 2016, as illegal and arbitrary.

Heard and perused the material available on record.

The case of the petitioner is that the *de facto* complainant, who is the wife of the petitioner, has lodged the present complaint alleging that the marriage between the *de facto* complainant and the petitioner was performed on 19.04.2009 and later, the petitioner along with his family members started harassing the *de facto* complainant physically and mentally and demanding her to get additional dowry from her parents. The main grievance of the petitioner is that there is no existing marital relationship between the petitioner and the *de facto* complainant since the said marital relationship seized on 06.06.2016 when the petitioner pronounced talaq three times in the presence of two witnesses, which fact was admitted by the *de facto* complainant in her complaint itself.

Considering the grievance of the petitioner, the 2nd respondent is directed to complete the investigation in FIR No.21 of 2016, as expeditiously as possible and file a final report, if any, either way in accordance with law, without arresting the petitioner.

Accordingly, the Writ Petition is disposed of. No costs. Pending Miscellaneous Petitions, if any, shall stand closed.

RAJA ELANGO,J

Date: 8th November, 2016

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