

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.45719 of 2016

ORDER:

The present writ petition is filed by the petitioner seeking to call for the records relating to FIR No.478 of 2016 on the file of the 2<sup>nd</sup> respondent, and quash the same.

Heard and perused the material available on record.

The offences alleged against the petitioner are under Sections 498-A, 494 and 420 IPC. The petitioner is the second wife of the husband of the de facto complainant. The de facto complainant lodged a complaint before the 2<sup>nd</sup> respondent stating that her husband harassed her mentally and physically demanding additional dowry and also married the petitioner, by cheating her.

Learned counsel for the petitioner submitted that the petitioner is innocent of the offences alleged against her and that the de facto complainant is a close friend of the petitioner and that de facto complainant had some disputes with her husband and with a view to harass her husband, she filed the present case with false allegations by implicating the petitioner also.

The learned Assistant Government Pleader submitted that on the basis of the complaint, the above case was registered against the petitioners, and the police concerned are investigating into the matter in accordance with law.

The petitioner filed this writ petition challenging investigation in the above crime. Even though this Court is not inclined to interfere with the investigation in the above crime, taking into consideration the

circumstances of the case, and the grievance of the petitioner, this Court is of the view that the above crime can be investigated into, without arresting the petitioner.

Accordingly, the 2<sup>nd</sup> respondent is directed to complete the investigation and file a final report in the above Crime, in accordance with law, without arresting the petitioner. The petitioner is also directed to appear before the investigating officer concerned and execute personal bond for a sum of Rs.5,000/- (Rupees five thousand only) with one surety for the like sum for her future appearance before the investigating officer as and when required for the purpose of investigation.

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

December 27, 2016.  
KTL

RAJA ELANGO, J



