

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.44831 of 2016

ORDER:

This writ petition is filed by the petitioner under Article 226 of the Constitution of India seeking to declare the action of the 2nd respondent in registering the Crime No.107 of 2015 of Airport Police Station, Visakhapatnam District, against the petitioner, as illegal and arbitrary and consequently to quash the criminal proceedings against the petitioner in Crime No.107 of 2015.

Heard and perused the material available on record.

The case of the petitioner is that the 3rd respondent lodged the present complaint against the petitioner alleging that the marriage of 3rd respondent was performed on 30.05.2013 with one S.V. Vinod (A-1), who is the brother of the petitioner and that after marriage, she was treated well for few days and later, she was subjected to cruelty by her husband and his family members, both physically and mentally, by demanding additional dowry of Rs.25,00,000/- and that the petitioner, who is the brother of A-1, also supported the acts of A-1. Based on the said complaint, the 2nd respondent registered a case as Crime No.107 of 2015 for the offences under Section 498-A IPC and Sections 3 & 4 of the Dowry Prohibition Act. The main grievance of the petitioner is that based on the above said crime, the 2nd respondent is threatening to arrest the petitioner.

Learned counsel for the petitioner submitted that except the allegation that the petitioner supported the acts of A-1, there is no other serious allegation on the petitioner. Learned counsel further

submits that the petitioner is ready to co-operate with the investigation.

Considering the said facts and circumstances, the 2nd respondent is directed to complete the investigation in Crime No.107 of 2015, as expeditiously as possible and file a final report, if any, either way in accordance with law, without arresting the petitioner. The petitioner is directed to execute a personal bond for a sum of Rs.5,000/- (Rupees five thousand only) with one surety for the like sum to the satisfaction of the Investigation Officer concerned as surety for his future appearance for the purpose of investigation.

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



RAJA ELANGO, J

Date: 22nd December, 2016

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