

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.43878 of 2016

ORDER:

This writ petition is filed seeking to declare the action of respondent No.3 in registering Crime No.426 of 2011, dated 06.07.2011 against the petitioners, as arbitrary and illegal and consequently, to set aside the same.

2. Heard and perused the material available on record.

3. Case of the petitioners is that respondent No.4 filed a private complaint against them before the II Additional Chief Metropolitan Magistrate, Vijayawada, and the same was referred to the police for investigation under Section 156(3) Cr.P.C.; that respondent No.3 registered the same as the aforementioned crime for the offence punishable under Section 498-A IPC read with 34 IPC and Sections 4 and 5 of the Dowry Prohibition Act. It is alleged in the complaint that the marriage of the 4th respondent with A.1 was performed in the year 2009. At the time of marriage, her parents gave cash and gold as dowry. She lived happily for few days. Subsequently, the petitioners and A.1 started harassing her both physically and mentally demanding additional dowry. The grievance of the petitioners is that on the basis of above complaint, the 3rd respondent is trying to arrest them.

4. Considering the grievance of the petitioners, the 3rd respondent is directed to complete the investigation in Crime No.426 of 2011, as expeditiously as possible, and file a final report, if any, either way in accordance with law, without arresting the petitioners.

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

16.12.2016
YVL

RAJA ELANGO, J



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Date:16.12.2016

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