

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.42366 of 2016

ORDER:

The present writ petition is filed by the petitioners seeking to quash FIR No.214 of 2016 of Sddipet II Town Police Station, Sddipet District, registered for the offences under Section 498-A IPC, and 3 & 4 of the Dowry Prohibition Act.

The case in brief is that the 1st petitioner is the husband and the other petitioners are parents-in-law of the de facto complainant-3rd respondent. The marriage of the 3rd respondent and the 1st petitioner was performed in the year 2007. The 3rd respondent lodged a complaint before the 2nd respondent stating that subsequent to her marriage, the petitioners are started harassing her demanding additional dowry.

Heard and perused the material available on record.

Learned counsel for the petitioners submitted that the petitioners never harassed the 3rd respondent demanding additional dowry, and initially the 1st petitioner lodged a complaint in Crime No.180 of 2016 against one Mamidipalli Sai, for the offences under Sections 448, 497 and 506 IPC on the ground that he is having extra marital affair with the 3rd respondent and thereafter, he filed OP No.49 of 2016 against the 3rd respondent seeking divorce on the grounds of adultery and cruelty and subsequent to filing of the above OP, the present complaint was lodged with false allegations.

The learned Assistant Government Pleader submitted that on the basis of the complaint, a case was registered against the petitioners,

and the respondents are investigating into the matter in accordance with law.

The petitioners filed this writ petition challenging the 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 facts and circumstances of the case, without going into the merits of the case, the above crime can be investigated into, without arresting the petitioners.

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

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

RAJA ELANGO, J

December 06, 2016.
KTL

