

HON'BLE SRI JUSTICE RAJA ELANGO

Writ Petition No.46472 of 2016

ORDER :

The Writ Petition is filed under Article 226 of the Constitution of India seeking to declare the crime No.621 of 2016 on the file of the 3rd respondent, as illegal and arbitrary and consequently direct respondents not to take any coercive steps against petitioners in connection with the said crime.

Heard and perused the material available on record.

Having regard to the facts and circumstances of the case and also in view of the nature of offences alleged against petitioners are serious in nature, which have to be investigated into by the investigating agency, this Court is not inclined to interfere with the proceedings initiated against the petitioners.

However, admittedly, the F.I.R. in this case was registered on the basis of reference made under Section 156(3) Cr.P.C. by the learned Magistrate, but the learned Magistrate has not followed the procedures in forwarding the complaint for registration of the same. Further, the de facto-complaint being mother-in-law of the petitioner No.1, they are relatives.

Therefore, the police concerned are directed to complete the investigation without arresting the petitioners and file the final report in accordance with law. The petitioners are directed to appear before the

Investigating Agency as and when their presence is required, and cooperate with the Investigating Agency.

Accordingly, the Writ Petition is disposed of. There shall be no order as to costs.

Consequently, Miscellaneous Petitions pending, if any, in the Writ Petition shall stand closed.

JUSTICE RAJA ELANGO

30th December, 2016

skmr

