

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.36858 OF 2016

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking to set aside F.I.R.No.39 of 2016 on the file of Kanaganapalli Police Station, Anantapur District.

2. Heard and perused the material available on record.

3. Case of the petitioner is that respondent No.4 filed a complaint against him before respondent No.3 and the same was registered as the aforementioned case for the offences punishable under Sections 494, 496, 498 and 420 read with 34 I.P.C. and Section 4 of the Dowry Prohibition Act, 1961; that the complaint does not contain any incriminating material; that he never did any criminal activities and respondent No.3 is trying to arrest him without following the due process of law.

4. Learned Assistant Government Pleader for Home submitted that on the basis of the said complaint, a case was registered against the petitioner and respondent No.3 is investigating the matter in accordance with law.

5. Considering the facts and circumstances of the case and the grievance of the petitioner, without expressing any opinion on merits, respondent No.3 is hereby directed to complete the investigation in the aforementioned crime and file a final report, in accordance with law in either way, without arresting the petitioner. However, the petitioner shall appear before the investigating officer as and when required for the purpose of investigation.

6. With the above direction, the Writ Petition is disposed of.
There shall be no order as to costs.

7. Miscellaneous Petitions pending, if any, in this Writ Petition
shall stand closed.

JUSTICE RAJA ELANGO

15.11.2016
AMD



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AMD