

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.38624 of 2016

ORDER:

The present writ petition is filed by the petitioners seeking to call for the records in connection with Crime No.616 of 2016 on the file of 3rd respondent police station, and declare the same as illegal and arbitrary and consequently, quash the same.

The case in brief is that the de facto complainant –4th respondent is the wife of the 1st petitioner, and the other petitioners are the family members of 1st petitioner. The 4th respondent made a complaint before the 3rd respondent alleging that the petitioners are harassing her physically and mentally by demanding additional dowry.

Heard and perused the material available on record.

Learned counsel for the petitioners submitted that the 1st petitioner filed FCOP No.449 of 2016 on the file of the Family Court, Guntur, seeking the relief of dissolution of marriage on the ground of cruelty and desertion and subsequent to filing of the above OP, the 4th respondent filed the present case with all false allegations only to harass the petitioners.

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 the present 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, without going into the merits of the case, this Court is of the view that the above crime can be investigated into, without arresting the petitioners.

Accordingly, respondents Nos.2 and 3 are 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 bond for a sum of Rs.5,000/- (Rupees five thousand only) with one surety for the like sum each, for their future appearance before the investigating officer for the purpose of investigation.

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

November 09, 2016.
KTL



RAJA ELANGO, J

