

**HONOURABLE SRI JUSTICE RAJA ELANGO**

**WRIT PETITION No.46122 of 2016**

**ORDER:**

This writ petition under Article 226 of Constitution of India is filed seeking to declare the action of the 3<sup>rd</sup> respondent in registering the Crime No.399 of 2016, on the complaint given by the 4<sup>th</sup> respondent, as illegal and arbitrary and consequently to quash the same.

Heard and perused the material available on record.

The case of the petitioner is that the 4<sup>th</sup> respondent lodged the present complaint against the petitioner before the 3<sup>rd</sup> respondent alleging that the marriage between the 4<sup>th</sup> respondent and the petitioner was performed on 11.03.2013 at Riyadh Soudi Arabia before the elders and at the time of marriage, the parents of the 4<sup>th</sup> respondent gave Rs.3,50,000/- cash, 3 tulas of gold and other household articles worth Rs.1,00,000/- to the petitioner and his parents and later, the petitioner along with his parents started harassing the 4<sup>th</sup> respondent, both physically and mentally, for want of additional dowry, even after paying an amount of Rs.2,00,000/- as additional dowry to the petitioner and due to harassment, the 4<sup>th</sup> respondent came to India and living with her parents. Basing on the above said complaint, the 3<sup>rd</sup> respondent registered a case in Crime No.399 of 2016 against the petitioner for the offence under Section 498-A IPC.

The main grievance of the petitioner is that the 3<sup>rd</sup> respondent, under the guise of the above said crime, is trying to arrest the petitioner.

Considering the said facts and circumstances, the 3<sup>rd</sup> respondent is directed to complete the investigation in Crime No.399

of 2016, as expeditiously as possible and file a final report, if any, either way in accordance with law, without arresting the petitioner. The petitioner is directed to execute a personal bond for a sum of Rs.5,000/- (Rupees five thousand only) with one surety for the like sum to the satisfaction of the Investigation Officer concerned as surety for his future appearance for the purpose of investigation.

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

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**RAJA ELANGO, J**

Date: 29<sup>th</sup> December, 2016

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