

HON'BLE SRI JUSTICE RAJA ELANGO

Writ Petition No.42269 of 2016

ORDER :

The Writ Petition is filed under Article 226 of the Constitution of India seeking to issue a writ or order, more particularly one in the nature of writ of *Mandamus* and call for the records pertaining to crime No.139 of 2016, dated 26-09-2016 on the file of the 4th respondent - Police Station and quash the same.

The allegation against the petitioner is that for the last five years the petitioner has sexual relation with the de facto-complainant - 5th respondent herein by promising her to marry.

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 the petitioner, this Court is not inclined to interfere with the proceedings against the petitioner.

However, in view of the submissions of the learned counsel for the petitioner and as the de facto-complainant is a major and there is also some financial transaction between the petitioner and the de facto-complainant, this Court directs the Police concerned to complete the investigation without arresting the petitioner and file the final report in accordance with law. The petitioner is directed to execute a personal bond for a sum of Rs.10,000/- (Rupees Ten thousand only) with one surety for a like sum to the satisfaction

of the Investigating Officer for his future appearance as and when required by the investigating agency for the purpose of investigation

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

19th December, 2016

skmr

