

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.38980 of 2016

ORDER

This writ petition is filed by the petitioners seeking to call for records relating to Cr.No.247 of 2016 dated 04.08.2016 on the file of the 3rd respondent Police Station and to quash the same.

2. It is stated in the affidavit that the 4th respondent lodged a complaint alleging that the 1st petitioner married her on 09.05.2014 as per Muslim caste and customs and at the time of marriage, her parents gave a sum of Rs.1,95,000/-, gold ornaments and jahez articles as dowry and thereafter, all the petitioners started harassing her for additional dowry. Based on the said complaint, the 3rd respondent registered a case in Cr.No.247 of 2016 for the offences punishable under Sections 498-A read with Section 109 IPC and under Sections 3 and 4 of Dowry Prohibition Act, against the petitioners. It is stated that the petitioners never demanded any dowry and they were falsely implicated in this case and that the 3rd respondent is trying to arrest them without following due process of law.

3. The petitioners filed this writ petition challenging the investigation in the above crime. This Court is not inclined to interfere with the investigation in the said crime. However, the official respondents are directed to complete the investigation and file a final report, in accordance with law, without arresting the petitioners. The petitioners are directed to appear before the Station

House Officer concerned as and when required and further directed to execute a personal bond for a sum of Rs.5,000/- (Rupees five thousand only) each with one surety for the like sum each to the satisfaction of the Station House Officer concerned, as surety for their future appearance as and when required.

4. With the above direction, the Writ Petition is disposed of. No costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

JUSTICE RAJA ELANGO

11th November, 2016

sj



