

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.42008 of 2016

ORDER:

1. This writ petition is filed by the petitioners under Article 226 of the Constitution of India seeking to quash the proceedings against them in FIR No.81 of 2016 on the file of the 2nd respondent-police station.
2. Heard and perused the material available on record.
3. As the private complaint filed by the 3rd respondent was referred to the police under Section 156(3) Cr.P.C., the above crime was registered for the offence under Sections 354, 498-A, 323, 506, 509 IPC and Sections 3 and 4 of the Dowry Prohibition Act. It is the grievance of the petitioners that the 1st petitioner filed OP against the 3rd respondent for divorce and subsequent to the said case, the 3rd respondent filed the present complaint with false allegations.
4. 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 above crime. However, in view of the fact that the present complaint has arisen out of matrimonial disputes, 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 the petitioners are also directed to execute a personal bond for a sum of Rs.5,000/- (Rupees Five Thousand only) with one surety each for the like sum each to the satisfaction of the Station House Officer concerned, as surety for their future appearance as and when required.

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

RAJA ELANGO, J

Date: 2nd December, 2016
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