

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.42179 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.1276 of 2016 on the file of the 2nd respondent.
2. Heard and perused the material available on record.
3. The above crime was registered for the offence under Sections 498-A and 306 IPC. It is stated in the affidavit that the 1st petitioner's wife poured turpentine oil on her body and set herself ablaze. On hearing her cries, the 1st petitioner shifted her to Gandhi Hospital. On the basis of the statement of the 1st petitioner's wife, the police registered the above crime initially for the offence under Section 498-A IPC and later, as she died Section 306 IPC was added. It is the case of the petitioners that they have not committed any offence as alleged and that the 1st petitioner has got two children and he is looking after his children and that the 2nd petitioner is aged about 65 years and she is not living with the 1st petitioner since February, 2013.
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, 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 they 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: 5th December, 2016
Nn



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