

**HONOURABLE SRI JUSTICE RAJA ELANGO**

**WRIT PETITION No.35322 of 2016**

**ORDER:**

1. This writ petition is filed by the petitioner under Article 226 of the Constitution of India challenging the action of the 4<sup>th</sup> respondent in trying to arrest the petitioner without issuing any notice under Section 41-A Cr.P.C. in connection with FIR No.604 of 2016 registered for the offence under Sections 498-A, 509, 323, 342, 406, 506, 420 IPC and Sections 3, 4 and 6 of the Dowry Prohibit Act, and seeking a direction to the 4<sup>th</sup> respondent to follow the procedure under Cr.P.C.

2. Heard and perused the material available on record.

3. The petitioner is the mother-in-law of the 5<sup>th</sup> respondent. Learned Counsel for the petitioner submitted that at the instance of the 5<sup>th</sup> respondent, the petitioner was falsely implicated in the above crime and that all the allegations made against the petitioner are vague and that the petitioner is aged about 60 years.

4. The petitioner filed this writ petition challenging the investigation in the above crime. Even though this Court is not inclined to interfere with the investigation in the above crime, but taking into consideration the case of the petitioner, this Court is of the view that the above crime can be investigated into, without arresting the petitioner.

5. Accordingly, respondents Nos.2 to 4 are directed to complete the investigation and file a final report in the above Crime, in accordance with law, without arresting the petitioner. The petitioner is directed to appear before the 4<sup>th</sup> respondent as and when required.

6. With the above direction, the Writ Petition is disposed of. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

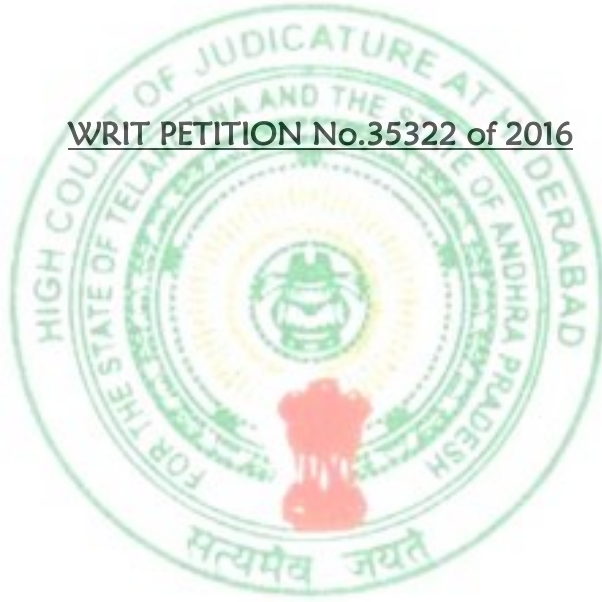
RAJA ELANGO, J

Date: 20<sup>th</sup> October, 2016  
Nn



HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.35322 of 2016



Date: 20<sup>th</sup> October, 2016

Nn