

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.44547 of 2016

ORDER:

This writ petition is filed by the petitioner under Article 226 of the Constitution of India seeking to declare the action of 2nd respondent in implicating the petitioner as accused in FIR No.101 of 2016, dated 10.12.2016, as illegal and arbitrary and consequently to set aside the same.

Heard and perused the material available on record.

The case of the petitioner is that the 3rd respondent lodged the present complaint against the petitioner, who is A-5 in the above said crime, and others, alleging that the marriage between the 3rd respondent and A-1 was performed nine years back and after marriage, the 3rd respondent came to know that her husband was addicted to bad vices like drinking, illegal affairs with another lady and her husband used to harass the 3rd respondent both physically and mentally for want of additional dowry and that the petitioner and others came to the house of the 3rd respondent at Polavaram Village, abused her in filthy language insulting her modesty and threatened her with dire consequences. The main grievance of the petitioner is that petitioner is the brother-in-law of A-1 and he is residing at Kurnool along with his wife and other family members and he has nothing to do with the marital affairs of the 3rd respondent and A-1. The 2nd respondent is making hectic efforts to arrest the petitioner and if the petitioner is arrested, his reputation will be tarnished and his family members will be subjected to suffer untold hardship and mental agony.

Considering the grievance of the petitioner, the 2nd respondent is directed to complete the investigation in FIR No.101 of 2016, as expeditiously as possible and file a final report, if any, either way in accordance with law, without arresting the petitioner. The petitioner is directed to execute a personal bond for a sum of Rs.5,000/- (Rupees five thousand only) with one surety for the like sum to the satisfaction of the 2nd respondent as surety for his future appearance for the purpose of investigation.

Accordingly, the Writ Petition is disposed of. No costs. Pending Miscellaneous Petitions, if any, shall stand closed.

RAJA ELANGO, J

Date: 21st December, 2016

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