

THE HON'BLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.41762 OF 2016

ORDER:

The writ petition is filed by the petitioners seeking a writ of mandamus declaring the action of the fourth respondent in registering F.I.R.No.354 of 2016 for the offences under Section 304-B IPC as illegal and arbitrary, and consequently to quash the same.

Heard and perused the material.

Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case and that they are included in the case only to harass the petitioners. He further submits that the petitioners are in-laws of the deceased and that they are nothing to do with the death of the deceased as they are residing separately far from the place of residence of the deceased. Hence, he seeks to quash the case against the petitioners herein.

Considering the facts and circumstances of the case, this Court is not inclined to quash the proceedings at the threshold. However, taking into consideration the fact that the petitioners did not reside with the deceased and they are in-laws of the deceased, the fourth respondent is directed to complete the investigation without arresting the petitioners and file final report, if any, in accordance with law. The petitioners are directed to appear before the fourth respondent and execute a personal bond for a sum of Rs.5,000/- (Rupees five thousand only) only with one surety for the likesum each for their future appearance as and when required for the purpose of investigation.

The writ petition is accordingly disposed of. Consequently, miscellaneous petitions, if any shall also stand disposed of.

JUSTICE RAJA ELANGO

01.12.2016
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