

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.41727 OF 2016

ORDER:

The present writ petition is filed by the petitioners seeking to declare the action of the 3rd respondent in registering FIR No.376 of 2016 on the file of Machavaram Police Station, Vijayawada, and consequently, direct the 3rd respondent not to implicate and arrest the petitioners.

Heard and perused the material available on record.

The case in brief is that the de facto complaint lodged a complainant alleging that his sister, who is the daughter-in-law of the 1st petitioner, committed suicide due to the harassment made by the petitioners demanding additional dowry.

Learned counsel for the petitioners submitted that initially, the crime was registered for the offence under Section 174 IPC, and subsequently, the same was altered to Sections 306 and 498-A IPC against the son of the 1st petitioner and the petitioners herein and that the petitioners are nothing to do with the affairs between the deceased and A1.

The learned Assistant Government Pleader submitted that on the basis of the complaint, a case was registered against the petitioners and others, and the respondents are investigating into the matter in accordance with law.

The petitioners 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, taking into consideration the facts and circumstances of the case and the grievance

of the petitioners, without going into the merits of the case, this Court is of the view that the above crime can be investigated into, without arresting the petitioners.

Accordingly, the 3rd respondent is directed to complete the investigation and file a final report in the above Crime, in accordance with law in either way, without arresting the petitioners. The petitioners are also directed to appear before the investigating officer concerned, and execute a bond for a sum of Rs.5,000/- (Rupees five thousand only) each with one surety for the like sum each, for their appearance before the investigating officer concerned, as and when required for the purpose of investigation.

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

December 01, 2016
KTL

RAJA ELANGO, J



