

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.45116 of 2016

ORDER:

This Writ Petition under Article 226 of the Constitution of India is filed seeking to declare the action of the respondent authorities in registering Crime No.471 of 2014 of Kadiyam Police Station, Kadiyam, Rajahmundry, East Godavari District, against the petitioners/A.1 to A.4, as arbitrary and illegal.

2. The 4th respondent gave a written complaint on 11.12.2014 before the Station House Officer, Kadiyam Police Station alleging that her marriage with the 1st petitioner was performed in the year 2008 at Rajahmundry as per Hindu rites. At the time of marriage, an amount of Rs.20,00,000/- was given as pasupu kumkuma and spent an amount of Rs.5,00,000/- towards marriage expenses. After the marriage, she joined the marital home of the 1st petitioner. After the marriage, the petitioners started harassing her both physically and mentally for additional dowry. Basing on the said complaint, the 3rd respondent registered the aforesaid crime for the offences punishable under Sections 498-A and 506 read with 34 IPC and Sections 3 & 4 of the Dowry Prohibition Act.

3. Learned counsel for the petitioners would submit that the petitioners never harassed the *de facto* complainant for additional dowry; that at the instance of political pressure, police threatening the petitioners to arrest them though they did not commit any offence.

4. Considering the facts and circumstances of the case and grievance of the petitioners, the 3rd respondent-Station House Officer, Kadiyam Police Station, Kadiyam, East Godavari District, is directed to complete the investigation in FIR No.471 of 2014 as expeditiously as possible and file a final report, if any, either way in accordance with law, without

arresting the petitioners. The petitioners are directed to appear before the 3rd respondent and execute a personal bond for a sum of Rs.5,000/- (Rupees five thousand only) each with one surety for the like sum each for their appearance as and when required for the purpose of investigation.

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

RAJA ELANGO, J

Date: 26th December, 2016
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