

THE HON'BLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.38652 OF 2016

ORDER:

The writ petition is filed by the petitioner seeking a writ of mandamus declaring the F.I.R.No.29 of 2016 on the file of the third respondent against the petitioner as illegal and arbitrary, and to quash the same.

Heard and perused the material.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present crime for the offences under Sections 498-A and 494 IPC read with Section 34 IPC and Sections 3 and 4 of the Dowry Prohibition Act, and that the petitioner has not committed any offence. Hence, the learned counsel prays this Court to quash the proceedings against the petitioner herein.

Considering the facts and circumstances of the case, this Court is not inclined to quash the proceedings against the petitioner. However, taking into consideration the fact that the case is arising out of family disputes, the third respondent is directed to complete the investigation without arresting the petitioner and file final report, if any, in accordance with law. The petitioner is directed to appear before the third respondent and execute a personal bond for a sum of Rs.10,000/- (Rupees ten thousand only) with one surety for the likesum for his future appearance 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

10.11.2016
pln