

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.42178 of 2016

ORDER:

1. This writ petition is filed by the petitioner under Article 226 of the Constitution of India seeking to quash the proceedings against him in Crime No.89 of 2016 on the file of the 2nd respondent.
2. Heard and perused the material available on record.
3. The above crime was registered for the offence under Sections 498-A r/w 34 IPC and Sections 3 and 4 of the Dowry Prohibition Act. Taking into consideration the allegations made in the complaint, this Court is not inclined to interfere with the investigation.
4. However, in view of the fact that the present complaint has arisen out of matrimonial disputes, this Court is of the view that the arrest of the petitioner would cause prejudice, in case of future settlement between the parties. Therefore, the official respondents are directed to complete the investigation and file a final report, in accordance with law, without arresting the petitioner. The petitioner is directed to appear before the Station House Officer concerned as and when required and he is also 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 Station House Officer concerned, as surety for his future appearance as and when required.
5. With the above direction, the Writ Petition is disposed of. No costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

RAJA ELANGO, J

Date: 5th December, 2016
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Date: 5th December, 2016

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