

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.46217 of 2016

ORDER:

1. This writ petition is filed by the petitioners under Article 226 of the Constitution of India seeking to quash the proceedings against them in FIR No.122 of 2016 on the file of the 2nd respondent.
2. Heard and perused the material available on record.
3. As the private complaint lodged by the 3rd respondent was referred to the police under Section 156(3) Cr.P.C., the above crime was registered for the offence under Section 498-A IPC and Section 3 of the Dowry Prohibition Act. Taking into consideration the allegations made in the complaint, this Court is not inclined to interfere with the investigation in the above crime. However, in view of the fact that the present complaint has arisen out of matrimonial disputes and that the arrest of the petitioners would cause prejudice in case of future settlement between the parties, the official respondents are directed to complete the investigation and file a final report, in accordance with law, without arresting the petitioners. The petitioners are directed to appear before the Station House Officer concerned as and when required and they are also directed to execute a personal bond for a sum of Rs.5,000/- (Rupees Five Thousand only) with one surety each for the like sum each to the satisfaction of the Station House Officer concerned, as surety for their future appearance as and when required for the purpose of investigation.
4. 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: 29th December, 2016
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