

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.42564 of 2016

ORDER:

This writ petition under Article 226 of Constitution of India is filed seeking to declare the action of the 3rd respondent in attempting to arrest the petitioner on the basis of complaint given by the 4th respondent without registering a case, and consequently, direct the 3rd respondent not to arrest the petitioner without registering a case and without following Section 41A Cr.P.C.

Heard and perused the material available on record.

The 4th respondent is the wife of the petitioner and the petitioner gave divorce to her on 07.04.2016, as per Muslim Law. The main grievance of the petitioner is that on the basis of the complaint lodged by the 4th respondent, the 3rd respondent is trying to arrest the petitioner, without following due process of law.

Considering the grievance of the petitioner, the 3rd respondent is directed not to arrest the petitioner without registering the crime and without following due process of law.

Accordingly, the writ petition is disposed of. No order as to costs. Pending Miscellaneous Petitions, if any, shall stand closed.

RAJA ELANGO, J

December 07, 2016.
KTL