

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.42607 of 2016

ORDER:

This writ petition is filed by the petitioner under Article 226 of the Constitution of India seeking to declare the action of the 2nd respondent in registering Crime No.463 of 2015 in Golconda Police Station, Hyderabad, as illegal and arbitrary and consequently, direct the 2nd respondent not to arrest the petitioner in the above crime.

Heard and perused the material available on record.

The offence alleged against the petitioner is under Sections 306 r/w.34 IPC. The case in brief is that on the statement of the deceased- Syed Ahmed, the police registered a case under Man Burns, and during the course of investigation, a suicide note was found by the police in which the deceased Syed Ahmed mentioned that due to the harassment caused by the petitioner and others, who are related to him, he poured petrol on his body and set fire himself.

The grievance of the petitioner is that she is the daughter-in-law of the deceased and that she was not there in the house when the incident occurred, and due to her husband's ill health, she went to the hospital, and on the basis of the above complaint, the 2nd respondent is trying to arrest her.

The petitioner filed this writ petition challenging the investigation in the above crime. This Court is not inclined to interfere with the investigation. However, taking into consideration the facts and circumstances of the case, without going into the merits of the case, this

Court is of the view that the investigation can be completed without arresting the petitioner.

Accordingly, the 2nd respondent is directed to complete the investigation and file a final report in the above Crime, in accordance with law in either way, without arresting the petitioner. The petitioner is also directed to appear before the investigating officer concerned, and execute personal bond for a sum of Rs.5,000/- (Rupees five thousand only) with one surety for the like sum, for her future appearance before the investigating officer concerned, as and when required for the purpose of investigation.

With the above directions, the Writ Petition is disposed of. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

December 07, 2016.
KTL

RAJA ELANGO, J

