

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.46162 of 2016

ORDER:

The present writ petition is filed by the petitioner seeking to declare the action of the 3rd respondent in implicating the petitioners as A-1 to A-6 in FIR No.219 of 2016, dated 14.11.2016, on the file of Kakatiya University Police Station, Warangal (Urban) District, basing on the alleged private complaint filed by the 4th respondent, as illegal and arbitrary and consequently to set aside the same.

Heard and perused the material available on record.

The 4th respondent filed a private complaint before the learned VI Additional Judicial Magistrate of First Class, Warangal, on 02.11.2016, which was referred to the 3rd respondent under Section 156(3) IPC and the 3rd respondent registered the said complaint as FIR No.219 of 2016 on 14.11.2016 for the offences under Sections 420, 494 read with 34 IPC against the petitioners. It is alleged in the above said complaint that the marriage between the 4th respondent and the 1st petitioner was performed on 10.02.2008 and at the time of marriage, the parents of the 4th respondent gave Rs.5,00,000/- cash, 9 tulas of gold ornaments, household articles worth Rs.1,00,000/- to petitioner Nos.1 & 3 to 6. The couple led a happy marital life for a period of four years, later the 1st petitioner along with petitioners 3 to 6 started harassing the 4th respondent, both physically and mentally, by demanding additional dowry. It is further alleged that the 1st petitioner illegally married the 2nd petitioner.

The main grievance of the petitioners is that the 4th respondent has not placed before the Court any document to prove that the 1st petitioner performed 2nd marriage with the 2nd petitioner and that the

petitioners are apprehending arrest in the hands of the 3rd respondent.

Considering the said facts and circumstances, the 3rd respondent is directed to complete the investigation in FIR No.219 of 2016 as expeditiously as possible and file a final report, if any, either way in accordance with law, without arresting the petitioners. The petitioners are directed to execute personal bond for a sum of Rs.5,000/- (Rupees five thousand only) each with one surety each to the satisfaction of the Investigation Officer concerned as surety for their future appearance for the purpose of investigation.

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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