

THE HON'BLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.36829 of 2016

ORDER:

The writ petition is filed by the petitioners seeking a writ of mandamus declaring the action of the third respondent in registering the case in crime No.745 of 2016 for the offences under Section 498-A IPC and Sections 3 and 4 of the Dowry Prohibition Act as illegal and arbitrary, and consequently, to quash the same.

Heard and perused the material.

Learned counsel for the petitioners submits that the fourth respondent has filed the complaint with all false allegations against the petitioners and that the third respondent has registered the same being F.I.R.No.745 of 2016, which is illegal and arbitrary and as such, he prays this Court quash the said F.I.R.

Considering the facts and circumstances of the case, this Court is not inclined to quash the proceedings at the threshold. However, taking into consideration the fact that the case is arising out of matrimonial disputes, the third respondent is directed to complete the investigation without arresting the petitioners and file final report, if any, in accordance with law. The petitioners are also directed to appear before the third respondent as and when required.

The writ petition is accordingly disposed of. Consequently, miscellaneous petitions, if any shall also stand disposed of.

JUSTICE RAJA ELANGO

31.10.2016
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