

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.39603 OF 2016

ORDER:

The present writ petition is filed seeking to call for the records pertaining to FIR No.27 of 2016 on the file of Tiryani Police Station, Adilabad District, and consequently, quash the same.

Heard and perused the material available on record.

The de facto complainant – 4th respondent lodged a complaint on 11.06.2016 before the 3rd respondent stating that her brother committed suicide by consuming insecticide poison, due to depression since his wife left his company and went to her parents' house and when the deceased requested her to come to his place, his wife and mother-in-law insulted him by saying that his wife will not come to stay along with him as he is living in a hut.

The grievance of the petitioners is that initially the case was registered under Section 174 Cr.P.C., and after lapse of three months, the Section of law was altered from 174 Cr.P.C., to 306 r/w.34 IPC in the month of October, 2016, basing on the suicide note, which was handed over by the brother-in-law of the deceased to the police on 04.09.2016 and that basing on the alleged suicide note, which was created by the family members of the deceased, the police are trying to arrest them and that they are not responsible for the death of the deceased and due to his mental ailments, he committed suicide.

Learned Assistant Government Pleader for Home submitted that basing on the complaint, the above case was registered against the

petitioners, and that the respondent police are investigating into the matter.

The petitioners filed the present writ petition challenging investigation in the above crime. This Court is not inclined to interfere with the investigation. However, considering the facts and circumstances of the case and the grievance of the petitioners, without expressing any opinion on merits, the respondents Nos.2 and 3 are directed to complete the investigation in the above crime, and file a final report, in accordance with law in either way, without arresting the petitioners. The petitioners are also directed to appear before the investigating officer concerned, daily between 10.00 am and 5.00 pm, for a period of fifteen (15) days, and execute personal bond for a sum of Rs.10,000/- (Rupees ten thousand only) each with one surety for the like sum each, for their 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. No costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

December 08, 2016
KTL

RAJA ELANGO, J

