

THE HON'BLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.37571 OF 2016

ORDER:

The writ petition is filed by the petitioners seeking a writ of Certiorari to call the for records pertaining to F.I.R.No.88 of 2016 on the file of the second respondent against the petitioners for the offences under Sections 498-A, 323 IPC read with Section 34 IPC as illegal and arbitrary, and consequently, to quash the same.

Heard and perused the material.

Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present crime for the offences under Sections 498-A, 323 IPC read with Section 34 IPC and that the petitioners have not committed any offences. Hence, the learned counsel prays this Court to quash the proceedings against the petitioners herein.

Considering the facts and circumstances of the case, this Court is not inclined to quash the proceedings against the petitioners. However, taking into consideration the fact that the case is arising out of family disputes, the second respondent is directed to complete the investigation without arresting the petitioner and file final report, if any, in accordance with law. The petitioner is directed to appear before the second respondent and execute a personal bond for a sum of Rs.5,000/- (Rupees five thousand only) each with one surety for the likesum each for their future appearance, as and when required for the purpose of investigation.

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

JUSTICE RAJA ELANGO

10.11.2016
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