

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.36389 OF 2016

ORDER:

The present writ petition, under Article 226 of the Constitution of India, is filed by the petitioners seeking to issue a writ of mandamus declaring the action of the 2nd respondent in registering Crime No.39 of 2015 on the file of Women Police Station, Thirupathi, Thirupathi Urban.

Heard and perused the material available on record.

The 3rd respondent lodged a complaint before the 2nd respondent against the petitioners and others, stating that her marriage was performed with A1, who is the brother of petitioner No.1 herein, and thereafter, A1 and other family members are harassing her by demanding additional dowry. Therefore, a case in Crime No.39 of 2015 was registered against the petitioners, A1 and other family members for the offences under Sections 498-A, 506 and 323 IPC and 3 & 4 of the Dowry Prohibition Act.

The grievance of the petitioners is that they never harassed the 3rd respondent demanding additional dowry and in fact, they are residing at Gujarat and that the 3rd respondent implicated them in the present case with false allegations and in view of pendency of the above case, the police are trying to arrest them.

The learned Assistant Government Pleader submitted that on the basis of the complaint, a case was registered against the petitioners and others, and the respondents are investigating into the matter in accordance with law.

Considering the facts and circumstances of the case and the grievance of the petitioners, without expressing any opinion on merits, the 2nd respondent is directed to complete the investigation in Crime No.39 of 2015, 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, 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.

October 27, 2016
KTL



RAJA ELANGO, J