

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.45639 of 2016

ORDER:

This writ petition is filed by the petitioner under Article 226 of the Constitution of India seeking to declare the action of respondent No.2 in registering the case in crime No.273 of 2016, dated 19-12-2016 for the offences under Section 498-A I.P.C. and Sections 3 & 4 of Dowry Prohibition Act against the petitioner basing on the complaint lodged by the de facto-complainant as illegal and arbitrary.

Heard the learned counsel for the petitioner and the learned Assistant Government Pleader for Home and perused the material available on record.

The petitioner filed this writ petition challenging the investigation in the above crime. This Court is not inclined to interfere with the investigation. However, taking into consideration the facts and circumstances of the case and taking into consideration the fact that the matter is arising out of matrimonial dispute, this Court is of the view that the investigation can be completed without arresting the petitioner.

Accordingly, respondent No.2 is directed to complete the investigation and file a final report in the above Crime, in accordance with law in either way, without arresting the petitioner.

With the above direction, the Writ Petition is disposed of. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

27-12-2016.
skmr

RAJA ELANGO, J

