

THE HON'BLE SRI JUSTICE SANJAY KUMAR

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WRIT PETITION No.38299 of 2015

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ORDER:

The grievance of the petitioner is with regard to the final report filed by the police authorities in relation to Crime No.257 of 2013 registered on the file of Sanjeevareddy Nagar Police Station, Hyderabad.

By way of the said report, the police authorities referred the case as a 'mistake of fact'. This final report was filed before the learned III Additional Chief Metropolitan Magistrate, Hyderabad, and was also served upon the petitioner on 05.11.2015. Instead of filing a protest petition before the Court below, the petitioner filed this Writ Petition straight away.

In the light of the efficacious alternative remedy provided to the petitioner under the provisions of the Criminal Procedure Code, 1973, this Court is of the opinion that the extraordinary jurisdiction of this Court under Article 226 of the Constitution should not have been invoked in the first instance.

The Writ Petition is accordingly dismissed leaving it open to the petitioner to avail appropriate remedies in accordance with law before the proper forum.

Pending miscellaneous petitions shall also stand dismissed. No order as to costs.

SANJAY KUMAR, J

25th NOVEMBER, 2015.

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