

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF
ANDHRA PRADESH**

WRIT PETITION NO.30708 OF 2015

DATED 25th NOVEMBER, 2015

Between:

Smt. Paidikondala Sailaja .. Petitioner

and

The State of Andhra Pradesh,

Rep. by its Principal Secretary,

Home Department and others .. Respondents

THE HON'BLE SRI JUSTICE SANJAY KUMAR

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WRIT PETITION NO.30708 OF 2015

ORDER

This writ petition is filed with the following prayer:

‘For all the reasons stated in the accompanying affidavit, it is prayed that this Hon'ble Court may be pleased to issue a writ of mandamus or any other appropriate writ, order or direction declaring the action of the 3rd respondent in not conducting investigation and in not securing the presence and arresting the accused in FIR No.101/2012 on the file of the Station House

Officer, New Port Police Station, Visakhapatnam as illegal, arbitrary and contrary to law and consequently direct the respondents 2 and 3 to conduct and complete the investigation in FIR No.101/2012 on the file of the Station House Officer, New Port, Visakhapatnam, Secure the presence of the accused by issuing look out or other form of notices, arrest them and submit report as per Sec.173 of Code of Criminal Procedure as early as possible and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.'

The Assistant Commissioner of Police, South Sub-Division, Visakhapatnam, furnished written instructions dated 17.11.2015 to the Government Pleader for Home, wherein he stated that Crime No.101 of 2012 was registered on the file of New Port Police Station, Visakhapatnam, under Section 498A IPC read with Section 34 IPC and Sections 3 and 4 of the Dowry Prohibition Act, 1961. After due investigation, it was stated that the addresses of the accused, the husband of the complainant and others, were secured and blue corner notices were forwarded through the Commissioner of Police, Visakhapatnam, under letter dated 28.01.2014 to the office of the Additional Director General, CID, Andhra Pradesh. However, as there was some technical error, the Additional Director General of Police, CID, Hyderabad, addressed letter dated 12.02.2014 to the office of the Commissioner of Police, Visakhapatnam, requesting him to send the proposal in a correct proforma. The proposals were accordingly resubmitted under letter dated 16.11.2015 to the CBI, NCB (India) Interpol Wing, New Delhi. The matter was stated to be pending with the Interpol Wing.

In the light of the aforesaid developments, the petitioner cannot complain of any inaction on the part of the police authorities in securing the presence of the accused in Crime No.101 of 2012 on the file of New Port Police Station, Visakhapatnam. The police authorities shall take steps to expeditiously complete the investigation once the presence of the accused is secured.

The writ petition is closed with the above observations. Pending miscellaneous shall also stand closed in the light of this final order. No order as to costs.

SANJAY KUMAR, J

25th NOVEMBER, 2015

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