

THE HON'BLE SRI JUSTICE A.V. SESA SAI

Writ Petition No. 14359 of 2015

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ORDER:

This writ petition is filed under Article 226 of the Constitution of India for the following relief:

“For the reasons stated in the accompanying affidavit, the petitioner herein prays that this Hon’ble Court may be pleased to issue a *Writ*, order, direction especially one in the nature of *Writ of Mandamus*, declaring the action of the respondent No.3 in not registering the FIR basing on the complaint dated 16-03-2015 and not taking any action against the respondent No.4 is illegal, arbitrary and contrary to the provisions of the Criminal Procedure Code and consequently direct the respondent No.3 to register the complaint and take appropriate action against the respondent No.4 and also provide police protection to the petitioner and his family members and pass such other order or orders as this Hon’ble Court may deem fit and proper in the circumstances of the case.”

Heard the learned counsel for the petitioner and learned Government Pleader for Home.

Today when the matter is called, the learned Government Pleader for Home placed before this Court, a copy of the written instructions dated 12-05-2015, submitted by the Inspector of Police, II Town Police Station, Kurnool. In the said instructions it is stated that the Inspector of Police, received a petition of the petitioner dated 22-04-2015 and 16-03-2015 through the Sub-Divisional Police Officer, Kurnool, vide C.No.207/SDPO-K/2015, dated 06-05-2015 and C.No.G3/5138/Genl/2015, dated 01-05-2015 of S.P. Kurnool.

It is further stated that as per the petitioner, the accused person by name, Khaleel of Nandikotkur Town has clearly committed an offence under Sections 323 and 506 IPC, which are non-cognizable. It is also stated that a requisition was submitted to the Judicial First Class Magistrate, Kurnool with a request to accord permission to register a case and to proceed with further investigation in the interest of justice. It is further stated in the written instructions that after receipt of permission from the Judicial First Class Matistate, and as per the directions therein, a case would be registered in Kurnool II Town P.S., basing on the merits of the complaint and *lacus-standi* of the petitioner.

In view of the written instructions submitted by the Inspector of Police, Kurnool II Town Police Station, the learned counsel for the petitioner has requested this Court to dispose of the writ petition in terms thereof.

For the foregoing reasons, the writ petition is disposed of by recording the above written instructions furnished by the Inspector of Police, Kurnool II Town Police Station,, dated 12-05-2015.

The miscellaneous petitions, if any, filed in the writ petition shall also stand disposed of. There shall be no order as to costs.

A.V. SESA SAI, J.

Dt.05-06-2015.

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