

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

WRIT PETITION No.22789 of 2015

ORDER:

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

“to issue Writ of Mandamus to declare the action of the 5th respondent in not filing additional supplementary charge sheet vide C.C.No.250 of 2015 as complimentary as under Section 178 of Cr.P.C. and to deport the 6th respondent from UK by taking necessary steps including look out notice/red corner notice as contemplated under the provision of Passport Act, 1967 herein as illegal, arbitrary, un-constitutional and consequently direct the 4th respondent to conduct proper further investigation according to law and to file supplementary charge sheet vide C.C.No.250 of 2015 as contemplated under Section 178 Cr.P.C. to deport the 5th respondent from UK by taking necessary steps including look out notice/red corner notice as contemplated under the provisions of Passport Act, 1967 and file additional charge sheet as per law.”

Heard Sri Challa Ajay Kumar, learned counsel for the petitioner and learned Government Pleader for Home for respondents, apart from perusing the material available before this Court.

Today, when the matter is called, written instructions, dated 29-07-2015 furnished by the Sub-Inspector of Police, Godavarikhani Town Police Station, Karimnagar District have been placed on record by the learned Government Pleader for Home and the said instructions read as under:

“On a complaint lodged by the petitioner herein with the police of Godavarikhani II Town Police Station, a case in Cr.No.8 of 2015 under Section 498-A of I.P.C. and Sections 3 and 4 of Dowry Prohibition Act was registered on 09-01-2015 against Kokkiralra Anjan Rao, Kokkiralra Kishan Rao, Kokkiralra Rambai and Kokkiralra Venugopal Rao as they harassed the petitioner mentally and physically and demanded her to get the additional dowry and investigation was taken up.

During the course of investigation, the Investigating Officer examined the complainant-petitioner and other witnesses and recorded their detailed statements. As per the evidence collected, *prima facie* case is made out that

all the accused in the F.I.R. i.e., A1 to A4 had committed the offences mentioned in the F.I.R. beyond all reasonable doubt.

While the investigation was under progress, all the accused except A1 who is staying in United Kingdom have surrendered before the Court of Judicial Magistrate of First Class, Godavarikhani and enlarged on bail on 28-01-2005.

The investigation was completed. After completion of investigation, appropriate charge sheet under Section 173 of Cr.P.C. was also filed before the Court of Judicial Magistrate of First Class, Godavarikhani and the same was taken on file vide C.C.No.250 of 2015. In the charge sheet it was clearly mentioned that a separate supplementary charge sheet under Section 173 (8) Cr.P.C. will be filed as and when the arrest of A1 who is staying in UK.

It is pertinent to submit that the Superintendent of Police, Karimnagar addressed a letter to the Inspector General of Police, CID, Telangana State, Hyderabad vide Lr.C.No.44/ LOC/Legal-Cell/2015, dated 25-02-2015 requesting him to address a letter to all immigration/air port authorities of India for apprehension of accused No.1 Mr.Kukkirla Anjan Rao and for issuance of look out circular against him. The same is pending consideration with the CID authorities.

A copy of the letter, dated 25-02-2015 addressed to the Inspector General of Police, C.I.D. T.S., Hyderabad is filed along with this written instructions for the kind perusal of this Court. However, this respondent is also going to once again remind the C.I.D. authorities for issuance of Look Out Circular against A1.”

On noticing the said instructions, learned counsel for the petitioner has requested this Court to record the said instructions and close the writ petition.

In view of the above reasons, the writ petition is closed, recording the above mentioned instructions furnished by the Sub-Inspector of Police, Godavarikhani Town Police Station, with a further direction to the police to expedite the matter. There shall be no order as to costs.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

A.V. SESA SAI, J

July 30, 2015

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