

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

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WRIT PETITION No.30422 OF 2012

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Between:

Shaik Mohammed Ali

.. Petitioner

And

State of Andhra Pradesh

through its Secretary for Home Department,

and another.

.. Respondents

DATE OF JUDGMENT PRONOUNCED: 03-08-2015

SUBMITTED FOR APPROVAL:

THE HON'BLE SRI JUSTICE SANJAY KUMAR

1. Whether Reporters of Local newspapers Yes/No
may be allowed to see the Judgment?

2. Whether the copies of judgment may be Yes/No
marked to Law Reporters/Journals

3. Whether Their Lordship wish to
see the fair copy of the Judgment? Yes/No

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.30422 of 2012

ORDER:

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Sri Mohd. Ghulam Hussain, learned counsel for the petitioner, states that subsequent to the filing of this writ petition, the police entertained the petitioner's complaint dated 17.11.2012 and registered Crime No.384 of 2012 on the file of Karimnagar I Town Police Station under Sections 192, 193 and 420 I.P.C. read with Section 34 I.P.C. However, after due investigation, the police authorities filed a final report under Section 173 Cr.P.C. before the learned Additional Judicial Magistrate of First Class, Karimnagar, on 29.11.2013 asking for closure of the case on the ground of 'mistake of fact'. Notice was stated to have been given to the complainant, the petitioner herein, on 29.11.2013.

Sri Mohd. Ghulam Hussain, learned counsel, would however contend that notice was not given of the filing of the final report till yesterday.

However, in the light of the law laid down by the Supreme Court, it is for the petitioner to take appropriate measures in accordance with law if he is aggrieved by the final conclusion arrived at by the police authorities and there is no limitation which would apply in this regard.

The writ petition is therefore dismissed leaving it open to the petitioner to take steps as afore-stated, if so advised, before the competent criminal court.

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

JUSTICE SANJAY KUMAR

3rd August, 2015

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