

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

FRIDAY THE THIRTIETH DAY OF OCTOBER
TWO THOUSAND AND FIFTEEN

PRESENT
HONOURABLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION NO. 33271 OF 2015

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Between:

Tetali Subbalakshmi & Anr. ... Petitioners

Vs.

The State of Andhra Pradesh
Represented by its Prl. Secretary,
Home Department,
Secretariat, Hyderabad & Ors. ... Respondents

Counsel for the Petitioner: Smt. A. Deepthi

Counsel for the Respondents: GP for Home [AP]

The Court made the following: [order follows]

HONOURABLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION NO. 33271 OF 2015

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

“To declare the action of the respondents 1 to 3 in not conducting investigation pursuant to the FIR.No.125/2015 dated 13/8/2015 as illegal, bad, arbitrary and consequently to direct the respondents 1 to 3 to conduct investigation pursuant to the registration of FIR.No. 125/2015 in accordance with the provisions of law and to pass such other suitable orders as this court may deems fit and proper in the circumstances of the case.”

2. Heard Smt. Deepthi, learned counsel for the petitioners and the learned Government Pleader for Home for the respondents.

3. When the matter is called, written instructions dated 15/10/2015 furnished by the Station House Officer, Bhimadole Police Station, West Godavari district have been placed on record by the learned Government Pleader for Home for the respondents.

3. The written instructions, reads as under:

“ It is respectfully submitted that first petitioner lodged a complaint on 13/8/2015 with the Station House Officer, Bhimadole Police Station, West Godavari district stating that the complainant is in possession of H.No.18-9, admeasuring Ac:0-10 cents situated at Sayannapalem village. The fourth respondent/Kovvuri Prasad Reddy and One Kovvuri

Sai Sobhanadri Reddy purchased the land admeasuring Ac:2-00 for fish ponds adjacent to the house of the complainant. On 10/8/2015, the fourth respondent and others came to the house of complainant when she was alone, beat, abused in filthy language, pulled the complainant and taken away cash, gold and valuable documents. Further the said persons damaged the windows, thrown all the house hold articles and threatened with dire consequences. The complainant requested the police to take necessary action.

It is respectfully submit that basing on the said complaint, a case in Cr.No.125/2015 dated 13/8/2015 for the offences under sections 448, 427, 323, 379, 506 read with section 34 IPC has been registered against the fourth respondent and others on the file of Bhimadole Police Station, West Godavari district and investigation has been taken up by the Sub-Inspector of Police.

It is respectfully submit that during the course of investigation, the complainant and five other witnesses have been examined and recorded their detailed statements.

It is submitted that the matter is under investigation for want of identification of the accused, collection of relevant documents and examination of some more witnesses.

It is respectfully submitted that after completion of investigation in accordance with law, appropriate report will be filed before the Hon'ble court as expeditiously as possible.

It is respectfully submitted that all other allegations made against the official respondents herein are false, baseless and hence the same are hereby denied. Hence, the writ petition deserves no consideration."

4. On noticing the same, the learned counsel for the petitioner has requested this court to dispose of the writ petition by recording the said written instructions with a further direction to the respondent police authorities to expedite the investigation and file final report in the court below.

5. In view of the above, the writ petition is disposed of, by recording the above written instructions furnished by the Sub-Inspector of Police, Bhimadole Police Station, West Godavari district and the respondent police authorities are directed to complete the investigation and file final report in the concerned court as expeditiously as possible. No costs.

6. As a sequel, miscellaneous petitions if any, pending in this writ petition shall stand closed.

JUSTICE A.V.SESHA SAI

30/10/2015
IsL

HONOURABLE SRI JUSTICE A.V. SESHA SAI

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