

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA & THE STATE OF ANDHRA PRADESH
(Special Original Jurisdiction)

WEDNESDAY, THE ELEVENTH DAY OF FEBRUARY
TWO THOUSAND AND FIFTEEN

PRESENT

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

WRIT PETITION No.2057 of 2015

BETWEEN

CVS Kameshwara Rao

... PETITIONER

AND

The State of Telangana, Rep. by its Principal Secretary,
A.P. Secretariat Building, Hyderabad and others.

...RESPONDENTS

The Court made the following:

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ORDER:

Heard.

2. Petitioner, who is a victim of an offence of theft, alleges that though F.I.R.No.338 of 2014 was registered on 04.05.2014 by respondent No.4, the investigation carried out so far has proved futile as respondent No.4 is unable to get any clues in spite of information given by the petitioner and the petitioner suspects the role of a Driver in the said theft, whom they have recently engaged. It is, however, alleged that in spite of bringing that to the notice of respondent No.4, no further action is taken and steps are being taken to close the investigation as undetected.

3. Instructions received by the learned Government Pleader from respondent No.4, show that sincere effects were made to investigate the crime and they have also checked the complicity of maid servant and the driver, who are prime suspects, but their complicity was not established. It is also stated that in order to trace out the clues all possible enquiries have been made, but all the efforts turned futile.

As there is no further hope of detecting the case in the near future as all available sources are exhausted, permission is stated to have been obtained from the Deputy Commissioner of Police, Malkajgiri, Cyberabad, to refer the case as undetected for the time being and if any clues are found in the near future, the same will be reopened. However, it is also stated that no final report, as such, is filed before the competent criminal court.

4. In view of the grievance of the petitioner that he lost valuable property in the offence of theft and that the investigation is not satisfactorily completed and since the final report is not yet filed, it is just and appropriate to dispose of the writ petition with the following directions:

1. Petitioner is permitted to make detailed representation before respondent No.2 bringing to his notice all the grievances with regard to the investigation.

2. On receipt of such representation, respondent No.2 shall call for the file from respondent Nos.3 and 4 relating to the aforesaid crime and satisfy himself that the investigation is properly done and thereafter direct further steps to be taken in the matter. It is open for respondent No.2 to direct filing of final report, as proposed, if he is satisfied that the investigation is lawfully conducted by taking all possible clues into consideration.

As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

VILAS V. AFZULPURKAR, J

February 11, 2015
LMV