

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

WRIT PETITION No.26446 of 2015

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ORDER:

This writ petition complains the inaction on the part of the 3rd respondent in conducting investigation in F.I.R. No.48 of 2013 of Kaikaluru Police Station, West Godavari District, dated 29.04.2013.

2. A counter affidavit is filed by the 3rd respondent. In the said counter affidavit, it is stated that based on the complaint lodged by the petitioner herein on 29.04.2013, the police registered F.I.R. No.48 of 2013 on 29.04.2013 for the offences alleged under Sections 408 and 420 of I.P.C. against the 4th respondent herein. Subsequently, the 4th respondent herein (accused) obtained anticipatory bail from this Court in CrI.P.No.5331 of 2013 dated 29.06.2013. It is also stated in the counter affidavit that the investigation so far conducted reveals that the accused drew four FDRs in Saphthagiri Grameena Bank, Vavilala village, Thiruvuru Mandal, Krishna District, without intimation and without prior permission from the society members duly furnishing false information to the Regional Joint Director's Office, Higher Education, Rajahmundry. It is further stated in the said counter affidavit that the accused withdrew an amount of Rs.20.00 lakhs together with interest by submitting the duplicate FDRs to the bank authorities during the year 2010, for which the police issued a notice under Section 91 Cr.P.C. to the auditor for the purpose of investigation. It is further averred in the counter affidavit that during the course of enquiry, it came to light that the original FDRs were pledged by the accused person somewhere else in Hyderabad and for which investigation needs to be done to come to a conclusion. It is further stated that after completion of investigation, charge sheet will be filed before the concerned Court, as expeditiously as possible.

3. While referring to the above said averments in the counter

affidavit, it is submitted by the learned counsel for the petitioner that necessary directions may be issued to the police to complete the enquiry and file a final report by fixing some timeframe.

4. For the foregoing reasons, the Writ Petition stands disposed of, directing the 3rd respondent-Station House Officer, Kaikaluru Town, Vijayawada, Krishna District, to complete the investigation and file final report, as expeditiously as possible. No order as to costs.

5. Miscellaneous petitions pending consideration, if any, in the Writ Petition, shall stand closed in consequence.

A.V.SESHA SAI, J

03rd September, 2015

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