

HON'BLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION No.34069 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 declaring the inaction on the part of the first and 2nd respondents in investigating the crime in FIR No.75 dated 12.06.2015, registered U/s 363, 366 of IPC, as illegal and arbitrary and consequently direct the respondents to expedite the investigation.

2. Heard Sri R. Srikanth, learned counsel for the petitioner and learned Government Pleader for Home for respondents, apart from perusing the material available before this Court.

3.Today, when the matter is called, written instructions, dated 16-10-2015 furnished by the Sub-Inspector of Police, Chodavaram PS, Visakhapatnam District have been placed on record by the learned Government Pleader for Home and the said instructions read as under:

“.....It is submitted that the investigation office took up the investigation. During the course of investigation, the respondent police examined 14 witnesses and recorded their statements. It reveals that the Physics teacher, namely Koyanna Tirupathi Rao of the missing girl who is working in the school used to talk with the missing girl frequently. Hence, the section was altered to 363, 366 of IPC against the above said Koyanna Tirupathi Rao, the physics teacher. During the investigation, the above said Koyanna Tirupathi Rao also absconded. Hence, the call details of the above said Koyanna Tirupathi Rao, the missing girl, school staff and some others were recorded. The investigation is going on.

After completion of the investigation the respondent police will take steps to file final report before the Competent court.”

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

5. In view of the above, the writ petition stands disposed of, by

recording the written instructions, dated 16.10.2015 furnished by the Sub-Inspector of Police, Chodavaram Police Station, Visakhapatnam District and with further direction to the respondent police to expedite and conclude the investigation in Cr.No.75 of 2015 as early as possible. Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. There shall be no order as to costs.

A.V. SESA SAI, J

Date: 29.10.2015
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