

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

WRIT PETITION No.13576 of 2015

ORDER:

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

“to issue Writ of Mandamus declaring the action of respondent No.3 in calling the petitioners to come to Police Station and making them to sit throughout the day as arbitrary, illegal and also abuse of power and consequently direct the respondents not to make the petitioners to sit in the 3rd respondent Police Station daily without taking steps as per law against these petitioners if required to be taken against them and also direct not to interfere in their civil liberty.”

Heard Sri T.P. Acharya, learned counsel for the petitioners and learned Government Pleader for Home.

Counter-affidavit deposed by the Sub-Inspector of Police, Chinthakani Police Station, Khammam District is filed stating that basing on the complaint lodged by one Smt. Kari Uma, Crime No.79 of 2015 for the offences under Sections 420 and 506 of IPC was registered on the file of Chintakani Police Station on 11-04-2015 and the investigation is taken up and that the petitioners herein are shown as A1 and A2 in the F.I.R. It is further stated that during the course of investigation the Investigating Officer examined the complainant and other witnesses and recorded their detailed statements and as per the evidence prima facie case is not made out against the accused in the F.I.R. who are the petitioners herein. It is further stated that the investigation was

completed and permission was also obtained by the Sub-Divisional Police Officer, Wyra to refer the complaint, as civil nature and final report under Section 173 of Cr.P.C. will be filed before the concerned Court within few days by following the due procedure.

On noticing the same learned counsel for the petitioners has requested this Court to record the same and close the writ petition.

For the aforesaid reasons, the writ petition is closed by recording the above said averments in the counter-affidavit. There shall be no order as to costs.

The Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

A.V. SESA SAI, J

July 01, 2015

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