

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.23295 OF 2011

DATED: 08.06.2015

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Between:

Smt. D. Shobha Rani @ Adla Shobha Rani .. Petitioner

And

The Superintendent of Police,

Mahabubnagar and another.

.. Respondents

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.23295 of 2011

ORDER:

This writ petition was filed assailing the action of the police authorities in not producing the petitioner and other witnesses before the learned Judicial Magistrate of First Class, Shadnagar, to record their statements under Section 164 Cr.P.C.

Basing on the written instructions dated 23.08.2011 received from the Station House Officer, Shadnagar Police Station, the learned Assistant Government Pleader for Home stated that basing on the petitioner's complaint dated 11.07.2011, Crime No.345 of 2011 had been registered under Sections 354 and 448 I.P.C. against one Vijaya Bhaskar Babu on the file of the Shadnagar Police Station. During the course of investigation, four witnesses were stated to have been examined and L.Ws.2 to 4 were stated to have corroborated the contents of the F.I.R. According to the Station House Officer, the accused was absconding and efforts were being made to arrest him. He further stated that the charge sheet would be filed at the earliest upon the apprehension of the accused and at that stage, the need to record the statements of the complainant and other witnesses under Section 164 Cr.P.C. did not arise.

In the light of the afore-stated stand of the police authorities, this Court sees no reason to pass orders at this stage as regards the examination of the complainant and the witnesses under Section 164 Cr.P.C. Necessary steps may be taken in this regard at the appropriate stage.

The writ petition is accordingly dismissed.

Pending miscellaneous petitions, if any, shall also stand dismissed. No order as to costs.

JUSTICE SANJAY KUMAR

8th June, 2015

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