

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

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WRIT PETITION No.11999 OF 2012

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ORDER:

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

“to issue any Writ, Order or direction, preferably a Writ in the nature of Mandamus declaring the action of the 3rd respondent in not investigating into the Cr.No.163 of 2011 and filing final report/charge sheet is illegal, arbitrary and violative of articles 14 and 21 of the Constitution of India and consequently direct the 3rd respondent herein to investigate into the matter forthwith by filing final report/charge sheet in Cr.No.163 of 2011 and to pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case

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2. When the matter is called today, written instructions dated 26.04.2012, furnished by the Station House Officer, Puttur Police Station, Chittoor District, have been placed on record by the learned Government Pleader for Home and the said instructions read as under:

“It is submitted that, during the course of investigation as many as six witnesses have been examined and their detailed statements were recorded.

The investigation had revealed that, the son of the complainant by name Koteswara Rao has married to A-1/P.Nagamani. Some differences were arose between the complainant, his son and A-1, due to which some misunderstanding arose. A-1 lodged complaint U/s. 498-A in Cr.No.38/2011 of SHO Puttur P.S. The complainant issued notices to A-1 to vacate the house. A-1 vacated the house, but A-1 did not trespass and not committed theft as alleged by the complainant. The complainant lodged false complaint to get the accused into his clutches in Cr.No.38/2011.

This respondent obtained permission from the SDPO Puttur vide C.No. 25/SDP-PTR/RC/2012 dt:29.1.2012 to refer the case as "false". After serving the notice to the complainant, the final report will be filed in the Hon'ble Court at the earliest."

3. On noticing the said instructions, learned counsel for the petitioner requested this court to dispose of the writ petition by recording the written instructions.

4. In view of the above, writ petition is disposed of, by recording the written instructions dated 26.04.2012, furnished by the Station House Officer, Puttur Police Station, Chittoor District.

5. Miscellaneous petitions pending consideration, if any, in the Writ Petition shall stand closed in consequence. No order as to costs.

A.V.SESHA SAI, J

05th November, 2015

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