

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

W.P.No.27033 of 2015

O R D E R:

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

“It is prayed that this Court may be pleased to issue an appropriate writ, order or direction more particularly one in the nature of writ of Mandamus to declare the action of the 3rd respondent in not including the names of the respondents 4 to 6 as accused in connection with Cr.No.90/2015 though their names were specifically mentioned in the complaint given by the petitioner on 16.4.2015 as being illegal, arbitrary and unconstitutional and consequently direct the respondents to add the names of the unofficial respondents as accused in relation to Cr.No.90/2015 pursuant to the complaint dt. 16.4.2015 and to grant such other relief or reliefs as the Hon'ble Court may deem fit and proper in the circumstances of the case.”

When the matter is taken up for consideration, it is submitted that police after investigation have filed charge sheet in CC No.552 of 2015 on the file of Court of II Addl. Judicial Magistrate of First Class, Bhimavaram, West Godavari District. The grievance in the present writ petition is regarding non-inclusion of the respondents 4 to 6 as accused in connection with the above crime. It is submitted by the learned counsel for the petitioner that even though names of the respondents 4 to 6 were specifically mentioned in the complaint given by the petitioner, the respondents-police did not show their names as accused in the charge sheet.

It is however contended by the learned Government Pleader for Home that it is always open for the petitioner herein to approach the Court below by filing necessary application for the said relief. Learned counsel for the petitioner also requested this Court to give liberty to the petitioner herein for the above relief.

In view of the above circumstances, this writ petition stands disposed of with liberty to the petitioner herein to avail the remedies available to him under the provisions of the Criminal Procedure Code. Miscellaneous applications, if any pending in the writ petition, shall stand closed. No costs.

A.V.SESHA SAI, J

Date:25.8.2015

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