

**THE HON'BLE SRI JUSTICE SANJAY KUMAR**

**WRIT PETITION No.18015 of 2012**

**ORDER:**

The grievance of the petitioner was that the Station House Officer, Tadoor Police Station, Mahabubnagar District, was not investigating Crime No.21 of 2011 though it was registered as long back as on 01.04.2011. The said crime was registered in the context of the petitioner's minor daughter going missing. It was the case of the petitioner that she was taken away by the accused, one Upparipalli Rakesh and others, and the case was accordingly registered under Section 366-A I.P.C.

The Sub-Inspector of Police, Tadoor Police Station, Mahabubnagar District, filed a counter-affidavit in July, 2012, stating that sincere efforts were being made to trace out the petitioner's daughter and A1.

The learned Assistant Government Pleader for Home was accordingly directed to obtain instructions as to the present status of the investigation. Relying on the written instructions dated 04.08.2015 received from the Sub-Inspector of Police, Tadoor Police Station, Mahabubnagar District, the learned Assistant Government Pleader for Home informed this Court that during the course of the investigation of the crime, the petitioner's daughter herself came to the police station in August, 2015, and stated that while she was studying tenth class at Z.P. High School, Tadoor Village, her parents planned to perform her marriage and as she was not interested in getting married, she went to Kurnool without informing her parents and that she eked out her livelihood thereafter by doing coolie work. Upon attaining the age of majority, she claimed that she married Upparipalli Rakesh, the first accused. She therefore asserted that she had voluntarily left her parents house. The Sub-Inspector of Police therefore stated that an appropriate report under Section 173 Cr.P.C. would be filed before the concerned court expeditiously.

Today, the learned Assistant Government Pleader for Home informed this Court that permission was obtained from the Sub-Divisional Police Officer, Nagarkurnool, vide memo dated 20.08.2015 to file a final report before the competent criminal court referring the case as a 'mistake of fact'. Copy of the statement of the petitioner's daughter recorded under Section 164 Cr.P.C. by the learned Judicial Magistrate of First Class, Kollapur, is also produced. Therein, she reiterated what was stated by her before the police authorities and requested for dropping of the case against her husband, who was arrayed as the first accused in Crime No.21 of 2011.

In the light of the afore-stated facts, the grievance of the petitioner that the police authorities were not investigating the subject crime is shown to be without basis.

The writ petition is accordingly dismissed.

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

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**JUSTICE SANJAY KUMAR**

31<sup>st</sup> August, 2015  
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