

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.10279 of 2012

ORDER:

The grievance of the petitioners in this case was that the Deputy Superintendent of Police, Markapuram, Prakasam District, was pressurising them in connection with Crime No.82 of 2011 which had been registered on their complaint by the Station House Officer, Kanigiri Police Station, Prakasam District. They therefore sought entrustment of the investigation in the said crime to any independent agency.

The Superintendent of Police, Prakasam District, filed a counter-affidavit in August, 2012 stating that the petitioners had jointly lodged a complaint alleging that the 7th respondent herein had abused them in the name of their caste with an intention to humiliate them in public. Upon the said complaint, Crime No.82 of 2011 was registered under Section 323 I.P.C., read with Section 3(i)(x) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, on the file of Kanigiri Police Station. The 7th respondent herein however filed Criminal Petition No.7594 of 2011 before this Court seeking quashing of Crime No.82 of 2011 under Section 482 Cr.P.C. This Court granted stay of all further proceedings by order dated 26.08.2011 passed in the said criminal petition. Thereafter, the criminal petition was dismissed by this Court on 02.12.2011 directing the police authorities to complete the investigation and file an appropriate report without arresting the accused. The Superintendent of Police denied the allegation of the petitioners that any pressure was brought upon them. He further stated that investigation in Crime No.82 of 2011 was entrusted by him to the Sub-Divisional Police Officer, Kandukur, and that the same was in progress.

The learned Assistant Government Pleader for Home was asked to enquire as to the present status of the investigation as the

counter-affidavit aforestated was filed in the year 2012. Thereupon, written instructions dated 02.07.2015 were furnished by the Sub-Inspector of Police, Kanigiri Police Station, Prakasam District, to the office of the learned Government Pleader for Home. Therein, the Sub-Inspector stated that the investigation in the matter ultimately revealed that the accused did not commit an offence as alleged by the petitioners. In that view of the matter, notice was given to the petitioners/complainants on 17.04.2013 and a final report was filed on 21.04.2013 under Section 173 Cr.P.C., before the learned Additional Judicial First Class Magistrate, Kanigiri, to the effect that the case was 'False'.

In the light of the aforestated developments, it is for the petitioners to take appropriate action in accordance with law, in the event they are aggrieved by the finding of the police authorities as to the nature of their complaint.

Reserving liberty to the petitioners to do so, the writ petition is dismissed.

Pending Miscellaneous Petitions, if any, shall also stand dismissed. No order as to costs.

SANJAY KUMAR, J

Date:14.07.2015

GJ