

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

WRIT PETITION No.20281 of 2015

ORDER:

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

“to issue a Writ, Order, or Direction, more particularly one in nature of Writ of MANDAMUS to direct the respondents 1 to 3 to file the Charge sheet into the court Crime No.34 of 2014 on the file of the Station House Officer, Chowdepally Police Station, Chittoor District as contemplated under Sec.167 (a) (ii) of Criminal Procedure Code 1973, as per law, without insisting on arresting the petitioner for committing the case to Special Court of Sessions , which has jurisdiction to try the Crime No.34 of 2014 under Sec.3(1)(X) of S.C.,S.T(POA)Act, 1989, and consequently restrain the Respondents 1, 2 & 3 from arresting /detaining petitioner in so far as Crime no.34 of 2014 on the file of the Station House Officer, Chowdepally, Chittoor District, pending filing of the charge sheet, in the Interest of Justice.”

2. When the matter is called today, written instructions dated 24.08.2015 along with a copy of the charge sheet furnished by the Sub-Divisional Police Officer, Palamaner Division, Chittoor District, Andhra Pradesh, have been placed on record. The said written instructions read as under:

”It is humbly submit that the entire investigation was completed. There is clinching evidence adduced during the course of investigation that the accused/petitioner (A.2) is solely responsible for the commission of offence in the FIR. After completion of the full-fledged investigation, as per the orders of the Superintendent of Police, Chittoor District, vide proceedings in C.No.C3/2292/61/SC-ST/2015, dt. 25-05-2015, I.O., has prepared appropriate charge sheet U/Sec.173 Cr.P.C., and handed over the same to the SI of Police, Chowdepalle PS, of Chittoor district, with instructions to get prepare copies of documents and file the charge sheet befoe the Hon'ble court of J.F.C.M., Punganur. Accordinlgy, the SI of Police, Chowdepalle PS, of Chittoor district has filed the charge sheet before the Hon'ble court of J.F.C.M., Punganur and the same has been taken on the file vide PRC No.41 of 2015, dt. 21-08-2015.

It is pertinent to submit that about 27 witnesses including the complainant – 5th respondent herein were examined and their

detailed statements were recorded. Prima facie case is made out against the petitioner accused only that he has committed the offences mentioned in the FIR.

The Criminal petition seeking to quash the FIR No.34 of 2014 Chowdepalle Police Station, of Chittoor District, was also dismissed by this Hon'ble court. The petitioner with mollified intention to drag on the proceedings, filed the present writ petition with false and baseless allegations.

A copy of charge sheet is filed along with these written instructions, for the kind perusal of this Hon'ble court.

It is also open for the petitioner to put forth his contentions if any before the Hon'ble trial court and prove his innocence."

3. In view of the above, the writ petition stands closed by recording the written instructions dated 24.08.2015 furnished by the Sub-Divisional Police Officer, Palamaner Division, Chittoor District. As a sequel, the miscellaneous petitions, if any, shall stand closed. There shall be no order as to costs.

A.V.SESHA SAI, J

Date:07-09-2015
grk

WRIT PETITION No.20281 of 2015

-
Dated 07th September, 2015
-

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD FOR
THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH**

THE HON'BLE SRI JUSTICE A.V.SESHA SAI
WRIT PETITION No.20281 of 2015

-
Between:

L.Mohan Reddy, S/o Venkatarami Reddy,
Age about 51 years, Occ: Superintendent
Boyakonda Gangamma Temple, Diguvapalli Village,
Chowdepalli Mandal, Chittoor District.

... Petitioner

and

The Station House Officer,
Chowdepalli Police Station,
Chittoor District and others.

... Respondents

JUDGMENT PRONOUNCED ON: 07th September, 2015

THE HONOURABLE SRI JUSTICE A.V.SESHA SAI

- | | |
|---|--------|
| 1. Whether Reporters of Local Newspapers
May be allowed to see the Judgment? | Yes/No |
| 2. Whether the copies of judgment may be
Marked to Law Reporters/Journals? | Yes/No |
| 3. Whether Their Lordship wish to see the
Fair copy of the judgment? | Yes/No |