

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

W.P.No.17601 of 2015

ORDER:

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Heard the learned counsel for the petitioner and the learned Government Pleader for Respondents, apart from perusing the material available on record.

2. The grievance in the present writ petition is non-registration of crime by respondents 3 and 4 on the complaint said to have been made by the petitioner herein on 4.5.2015.

3. A counter affidavit deposited by 4th respondent-Sub-Divisional Police Officer, Nellore Rural is filed. It is stated at paragraph 10 of the said counter that on 4.5.2015, the petitioner herein has filed one written complaint before the IV Additional Judicial Magistrate of First Class, Nellore against respondents 6 and 7 with similar allegations under Section 190 Cr.P.C. It is further stated in view of the same, the present writ petition is not maintainable.

4. As the petitioner herein already filed a private complaint before the learned Magistrate, as stated supra, this Court is not inclined to entertain the present writ petition. The learned counsel for the petitioner has also requested this Court to record the said averment in the counter affidavit and dispose of the writ petition.

5. For the aforesaid reasons, the writ petition is disposed of, recording the above averment in the counter affidavit with regard to filing of private complaint before the IV Additional Judicial Magistrate of First Class, Nellore. It is needless to observe that the petitioner is at liberty to pursue the said remedy, as per law. 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: 7.7.2015

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Between:

Adapala Yedukondalu

... Petitioner

and

State of Andhra Pradesh,
rep. by its Principal Secretary,
Home Department, Secretariat Buildings,
Hyderabad & others.

... Respondents