

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

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W.P. NO. 8841 of 2015

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Date of Judgment: 31.3.2015

Between:

Appasani Babu Rao

...Petitioner

And

The State of Andhra Pradesh and others

..Respondents

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

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W.P. NO. 8841 of 2015

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ORDER:

Heard learned counsel for the parties.

The petitioner states that on the basis of his complaint, a case in Cr.No. 71 of 2014 was registered under Section 468 IPC on the file of P.S. G. Konduru, Krishna district and after registration of the said case, he was not heard anything in the matter and for the first time he received the impugned notice dated 30.1.2015 informing him that the fourth respondent proposed to file a final report in the above case on the ground that it is a civil dispute. The petitioner states that he has

also not been served with the final report and states that there was hardly any investigation in the case and inasmuch as his statement was also not recorded.

Even assuming that the petitioner's allegations are correct, now that notice of filing final report was served on the petitioner and he has effective remedy of filing a protest petition as the final report is stated to have been filed before the Judicial First Class Magistrate, Mylavaram and the petitioner is at liberty to bring to the notice of the learned Magistrate about the manner in which the investigation has been done in the case. If such a protest petition is filed, the learned Magistrate would certainly consider the same and pass appropriate orders. In view of the said remedy available to the petitioner, the writ petition does not deserve to be entertained.

Accordingly the writ petition is dismissed along with miscellaneous applications, if any. No order as to costs.

VILAS V. AFZULPURKAR, J

Dt. 31.3.2015

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