

THE HONOURABLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.12079 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 the nature of writ of mandamus, to direct the first respondent to investigate into the FIR No.241 of 2013 and take steps for recovery of the property of the complainant and to file charge sheet against the accused ”.

2. Heard learned counsel for the petitioner and learned Government Pleader for Home.

3. Today, when the matter is called, written instructions furnished by the Sub-Inspector of Police, Ravulapalem Police Station, to the Office of the learned Government Pleader for Home have been placed on record by the learned Government Pleader. In the said instructions, it is stated that on the strength of the report of the complainant, a case in Cr.No.241 of 2013 under Section 379 IPC of Ravulapalem Police Station was registered, and during the course of investigation, the scene of offence was examined and secured as many as five witnesses and recorded their statements under Section 161 Cr.P.C. It is further stated that in this case, total 13 M.O. criminals were listed by receiving advisory memo from DCB, Kakinada to verify their complicity of the case and interrogated them thoroughly, but they all denied the knowledge of this offence and the police could not get any useful information. It is further stated that all the efforts have been made by moving at various places and exchanging the intelligence of the concerned police, but in vain. It is also stated that all the efforts that have been made to detect the case proved futile and there is no chance of detecting the case without any clues and as such, proposals have been submitted to the Sub-Divisional Police Officer, Amalapuram, to seek permission to refer the case as undetectable. The Sub-Divisional Police Officer, Amalapuram, had gone through the case file and accorded permission

to refer the case as undetectable vide C.No.241/RFD/SDPO-A/2014 dated 16.07.2014. It is also stated that whenever clues are available, the case will be re-opened.

4. On noticing the said instructions, it is submitted by the learned counsel for the petitioner that the writ petition may be closed by recording the said instructions.

5. In view of the above, the Writ Petition is closed, by recording the instructions referred to supra. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

A.V.SESHA SAI

9th June, 2015

sj