

**THE HON'BLE SRI JUSTICE SANJAY KUMAR**

**WRIT PETITION NO.5805 OF 2016**

**ORDER**

The prayer of the petitioner in this case is as under:

‘This Hon’ble Court may be pleased to issue an order or direction more particularly one in the nature of writ of mandamus directing the re-entrustment of investigation in Crime No. 7 of 2015 on the file of the 4<sup>th</sup> respondent herein to the 3<sup>rd</sup> respondent or in the alternative the inaction on the part of the 5<sup>th</sup> respondent herein in completing the investigation and submitting final report by filing a charge sheet before the competent magistrate in Crime NO. 7 of 2015 on the file of the 4<sup>th</sup> respondent herein as illegal, arbitrary, null and void and for a consequential direction to the respondents to re-entrust the investigation to the 4<sup>th</sup> respondent as well as directing the 5<sup>th</sup> respondent to file a final report and to pass such other order or orders as this Hon’ble court may deem fit and proper in the circumstances of the case.’

Written instructions dated 22.03.2016 were furnished by the Sub-Inspector of Police, Bhimavaram I Town Police Station, West Godavari District, to the office of the learned Government Pleader for Home, wherein he stated that upon the complaint made by the petitioner, Crime No.7 of 2015 was registered on the file of Bhimavaram I Town Police Station under Sections 408, 420, 477 (a) IPC read with Sections 120B and 34 IPC. After due investigation, the police authorities found no case made out for proceeding further and accordingly obtained permission from the Sub-Divisional Police Officer, Narsapuram, vide letter dated 29.02.2016 for filing a final report referring the case for ‘lack of evidence’. Notice was served upon the complainant to this effect on 20.03.2016 and the final report as aforestated was filed before the learned II Additional Judicial Magistrate of First Class, Bhimavaram, on 21.03.2016 vide S.R.No.2561 of 2016.

In the light of the aforestated developments, it is for the petitioner

to take recourse to appropriate remedies in accordance with law if he is aggrieved by the conclusion arrived at by the police authorities. Reserving liberty to do so, the writ petition is closed. Pending miscellaneous petitions shall also stand closed. No order as to costs.

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**SANJAY KUMAR, J**

**11<sup>th</sup> APRIL, 2016**

PGS