

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.16176 of 2013

ORDER:

This writ petition under Article 226 of Constitution of India is filed seeking to declare the action of respondents 1 to 3 in not investigating the Crime No.66 of 2013, which was registered for the offences under Sections 323, 506, 120-A and 206 read with 34 IPC against respondents 4 to 6, as illegal and arbitrary.

Heard and perused the material available on record.

The grievance of the petitioner is that the 4th respondent has transferred the attached agriculture land to the 5th respondent vide document No.2031 of 2009, dated 25.05.2009 and the 5th respondent alienated the land in favour of the 6th respondent with unlawful object and with criminal conspiracy even though the said lands are under Court attachment and that on 09.03.2013, when respondents 4 and 5 were passing through the house of the petitioner, when the petitioner questioned about the same, respondents 4 and 5 abused the petitioner and the 5th respondent caught hold of the hands of the petitioner from back side and the 4th respondent beat the petitioner with hands indiscriminately and the respondents tried to throttling the petitioner. Aggrieved by the same, the petitioner filed a private complaint before the Judicial Magistrate of First Class, Kodad and the learned Magistrate referred the same to the respondent police and the same was registered by the respondent police as Crime No.66 of 2013 on 23.03.2013 against respondents 4 to 6 for the offences punishable under Sections 323, 506, 120-A & 206 read with 34 IPC. Even though the respondent police registered the case on 23.03.2013, so far the respondent police have not taken any action against respondents 4 to 6.

Considering the grievance of the petitioner and since the matter is pertaining to the year 2013, the 3rd respondent is directed to complete the investigation in Crime No.66 of 2013 as expeditiously as possible and file a final report, if any, either way in accordance with law. If investigation in Crime No.66 of 2013 is already completed and charge sheet is filed, then this order need not be given effect to.

Accordingly, the Writ Petition is disposed of. No costs. Pending Miscellaneous Petitions, if any, shall stand closed.

RAJA ELANGO,J

Date: 7th November, 2016

KL

