

**HON'BLE SRI JUSTICE C. PRAVEEN KUMAR**

**WRIT PETITION No. 36937 of 2015**

**ORDER:**

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Heard learned counsel for the petitioner and Government Pleader for Home. With the consent of both the parties, the writ petition is taken up for disposal at the admission stage itself.

The present Writ Petition came to filed seeking issuance of a Writ of Mandamus declaring the inaction of the third respondent in investigating the Crime No.329 of 2014 registered for the offences punishable under Sections 420 and 406 read with 34 IPC and Section 4 of the Andhra Pradesh Protection of Depositors of Financial Establishment Act, 1999, as illegal and arbitrary; and consequently to direct the second respondent to entrust the investigation to some other investigating agency so as to enable to complete the investigation in the above crime as early as possible.

On the basis of the report given by the petitioner herein a case in Crime No.329 of 2014 of Tadepalligudem Town Police Station, came to be registered against four accused for the offences punishable under Sections 420 and 406 read with 34 IPC and Section 4 of the Andhra Pradesh Protection of Depositors of Financial Establishment Act, 1999. The averments in the said report would show that in the first week of August, 2012 one Maddula Srinivasa Rao came to the house of the complainant stating that he has got share in India Trade Line Company of Mumbai and if an investment of Rs.10,000/- is made the petitioner would get Rs.2,000/- per week for ten weeks. Believing the

representation made, the husband of the petitioner paid the amount in the name of his daughter. In the month of October, 2012 the husband of the petitioner was taken to Hyderabad, where he introduced Perla Srinivasa Rao, who in turn took the husband of the petitioner to Bombay and was introduced to the fourth respondent herein. There it was informed to the husband of the petitioner that the scheme is introduced in Indian Model Hunt and the said show is a reality show. Believing the said version, the family of the informant is alleged to have invested Rs.20.00 lakhs with accused No.1. Since there was no response from the accused, the matter was enquired into and their enquiries revealed that the accused collected crores of rupees from different persons and cheated the public at large. Basing on these allegations the above case came to be registered.

Learned counsel for the petitioner submits that though accused Nos.2 to 4 are arrested but the police failed to arrest accused No.1 till date. He further submits that though the crime was registered in the month of December, 2014 there is no progress in the investigation till date.

Learned Government Pleader for Home on instructions submits that accused No.1, who is a Chairman and Managing Director of India Trade Line Company, Mumbai, is alleged to have engaged accused No.2 to 4 as promoters of the scheme and

collected huge amount. The instructions received also show that the police are making every effort to arrest accused No.1 but he is evading the process and keeping himself away from the police. He further submits that the allegation of police not proceeding with the investigation is false and they are making

every effort to arrest the culprit and complete the investigation.

As seen from the averments in the First Information Report and also written instructions received by the office of the Government Pleader for Home, the accused collected huge amount of money from public and misappropriated the same. It is true that accused Nos.2 to 4, who are the agents of accused No.1 were arrested but unless the principal culprit is arrested, the police will not be in a position to file a final report.

Having regard to the nature of allegations made and taking into consideration the amount involved, the Deputy Superintendent of Police, Tadepalligudem, West Godavari District, is directed to monitor the investigation conducted by the concerned in Crime No.329 of 2014 of Tadepalligudem Town Police Station and see that investigation is to be completed at the earliest and a final report be filed within a reasonable time.

With the above direction, the writ petition is disposed of.  
No order as to costs.

Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

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**JUSTICE C. PRAVEEN  
KUMAR**

03.06.2016  
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