

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION NO.1546 OF 2016

ORDER

The prayer of the petitioner in this case is to declare the action on the part of the police authorities in omitting certain persons from the array of accused in Crime No.68/2015 on the file of Gampalagudem Police Station, Krishna District, and in not seizing the vehicles used for excavation of mud as arbitrary, illegal and unconstitutional. A consequential direction is sought to file an additional charge-sheet by properly investigating the case and by including all the concerned persons.

The petitioner states in the affidavit filed in support of the writ petition that he filed a petition before the learned Judicial Magistrate of First Class, Tiruvur, under Section 173(8) Cr.P.C. in CF No.8512/2015. This application was dismissed by the Court below on 22.09.2015. Without taking appropriate steps in accordance with law to challenge the said order, the petitioner directly approached this Court by way of the present writ petition.

The writ petition is therefore misconceived. The petitioner necessarily has to pursue his lawful remedies against the order dated 22.09.2015 passed by the learned Judicial Magistrate of First Class, Tiruvur, in CF No.8512/2015. Reserving liberty to the petitioner to do so, the writ petition is dismissed. Pending miscellaneous petitions shall also stand dismissed in the light of this final order. No order as to costs.

SANJAY KUMAR, J

21st JANUARY, 2016

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