

THE HON'BLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.44797 OF 2016

ORDER:

The writ petition is filed seeking a writ of mandamus declaring the action of the respondents 1 to 3 in not arresting the respondent No.4 as illegal and arbitrary, and consequently direct the respondents 1 and 2 to transfer the case to CBCID for proper investigation by filing the charge sheet before the concerned court immediately.

Heard and perused the material.

Learned counsel for the petitioner submits that though the third respondent registered the case against the fourth respondent, the respondents 2 and 3 are not taking up proper investigation and they are not arresting the fourth respondent.

Learned Assistant Government Pleader for Home (Telangana) filed a detailed counter affidavit stating that *prima facie* it is clearly made out that A.1 to A.4 committed the offences punishable under Sections 420, 120-B read with Section 34 IPC. It is further stated that the investigation officer, during the course of investigation, arrested A.2 and A.4 and they were remanded to judicial custody, and that A.3 surrendered before the police station and handed over one bag containing 29 Indian Passports. The respondents formed a special team for apprehension of A.1/fourth respondent herein, whose whereabouts are not known. The special team is seriously searching for A.1, and after arrest of A.1 and on completion of the investigation, the respondents 2 and 3 will file charge sheet and that the respondents 2 and 3 are meticulously proceeding with the investigation.

Considering the facts and circumstances of the case, the respondents 2 and 3 are directed to complete the investigation as early as possible and to file charge sheet in accordance with law.

The writ petition is accordingly disposed of. Consequently, miscellaneous petitions, if any shall also stand disposed of.

JUSTICE RAJA ELANGO

29.12.2016
pln

