

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.508 of 2016

ORDER:

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

“For the reasons stated in the affidavit filed in support of the writ petition, it is prayed that this Hon'ble Court may be pleased to issue a writ, order or a direction, more particularly one in the nature of Writ of Mandamus declaring the inaction of the 2nd and 3rd Respondents in not completing the investigation and filing a charge sheet in relation to

FIR 55/2015 dated 18.04.2015 lodged with the Dagadarthi Police Station, Nellore, Andhra Pradesh, as illegal, arbitrary and violative of Article 14 of the Constitution of India, and consequently direct the 2nd and the 3rd respondents to take steps in accordance with law on FIR No.55/2015 dated 18.04.2015 lodged with the Dagadarthi Police Station, Nellore, Andhra Pradesh, and file a charge sheet within a specified a timeframe, and pass such other order or orders as this Hon'ble Court deem fit and proper in the facts and circumstances of the case.”

Written instructions dated 03.02.2016 were furnished by the Sub-Inspector of Police, Dagadarthi Police Station, Nellore District, to the office of the learned Government Pleader for Home, wherein the Sub-Inspector stated that basing on the complaint lodged by the petitioner, Crime No.55 of 2015 was registered on the file of Dagadarthi Police Station, Nellore District, under Sections 143, 147, 148, 307, 379, 447 and 149 I.P.C. read with Section 3(1)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989. Five witnesses were stated to have been examined and their statements were recorded. The Sub-Inspector further stated that notices were issued to the petitioners in W.P.No.7245 of 2015, one of whom was the petitioner herein, but they were not traced out at the addresses given in the cause title in the said writ petition. Notices were also stated to have been sent by registered post with

acknowledgment due in January, 2016. The Sub-Inspector concluded by stating that the matter was still under investigation for want of examination of some more witnesses and collection of records and that appropriate report would be filed before the concerned criminal court after completion of the investigation.

In the light of the afore-stated written instructions, Sri M.V. Pratap Kumar, learned counsel for the petitioner, fairly stated that his client would approach the police authorities concerned as they were unable to serve notices upon him earlier.

The writ petition is accordingly closed permitting the petitioner to approach the police authorities concerned and extend co-operation for expeditious completion of the investigation in the subject crime and also seek such other relief as may be due to him pursuant to the orders passed by this Court in the earlier rounds of litigation.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

JUSTICE SANJAY KUMAR

22nd March, 2016
PGS