

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH

[Special Original Jurisdiction]

THURSDAY THE TWENTY EIGHTH DAY DECEMBER
TWO THOUSAND AND SEVENTEEN

PRESENT

SMT. JUSTICE T. RAJANI

CRIMINAL PETITION NO. 2523 OF 2013

Between:

Reddi Gangadhara Rao ... Petitioner/A-6

V/s.

The State of Andhra Pradesh
Represented by the Public Prosecutor
High Court of Judicature for the State of
Telangana & Andhra Pradesh,
Through Station House Officer,
Kothapeta Police Station,
East Godavari district & Anr. ... Respondent/complainant

Counsel for the Petitioners : Sri G. Raj Kumar

Counsel for the Respondent : Public Prosecutor [AP]

The court made the following: [order follows]

SMT. JUSTICE T. RAJANI**CRIMINAL PETITION NO. 2523 OF 2013****ORDER :**

This Criminal Petition is filed by the petitioner/A-6 under section 482 of Cr.P.C., seeking for quashment of the proceedings in PRC.No. 6 of 2013 on the file of the Court of Judicial Magistrate of First Class, Kothapeta, East Godavari district.

2. Heard the learned counsel for the petitioner/A-6, learned Public Prosecutor appearing for the first respondent and Sri V. Raja Manohar, learned counsel for the second respondent.

3. The allegation against this petitioner is that he did not investigate the offence properly and closed the case and filed final report stating that there is “no evidence”. Absolutely, the said allegation cannot be sustained and no prosecution can be initiated against him on the basis of the said allegation which does not have any basis. The petitioner/A-6 is only an Investigating Officer acting in his official capacity and the final report reflects the findings of his investigation, which cannot be said to be filed with an ulterior motive.

4. Hence, in view of the above, the Criminal Petition is allowed and the proceedings in PRC.No.6 of 2013 [Crime No.23 of 2010 of Kothapeta Police Station] on the file of the Court of Judicial Magistrate of First Class, Kothapeta, East Godavari district are quashed against the petitioner/A-6.

5. As a sequel, miscellaneous petitions if any, pending in this Criminal Petition shall stand closed.



JUSTICE T. RAJANI.

28/12/2017
I s L

SMT. JUSTICE T. RAJANI

CRIMINAL PETITION NO. 2523 OF 2013

[ALLOWED]



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