

**THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM**

**WRIT PETITION No. 29213 OF 2017**

**ORDER:**

This Writ Petition is filed questioning the inaction on the part of the respondent No.2 in not investigating and not taking action against the accused in Crime No.319 of 2017, dated 11.08.2017.

The grievance of the petitioner is that he along with his brother are the owners and possessors of the land an extent of Ac.0-20 guntas situated in Sy.No.769/C of Siricilla, Karimnagar District, having inherited from their father viz., Aluwala Pochaiah and even as per the pahani of the year 2016 their father's name has been shown as possessor and pattadar of the said land. While the things stood thus, on 05.07.2017 some of the anti social elements criminally trespassed into their land by removing the boundary stones and caused damage to the land, to that effect a complaint was made on 11.08.2017, based on the same Crime No.319 of 2017 of Rajanna Siricilla Police Station has been registered, for the offences under Section 447, 427, 506 IPC. In spite of the same, there is no progress made in the case. Hence, the Writ Petition.

Learned Government Pleader for Home (T.S.) submits that the Crime has been registered on 11.08.2017 and this Writ Petition has been filed on 29.08.2017 and even as per police Order No.478(5) one month time is available to the Investigating Officer to complete the investigation and as of now investigation is in progress.

Having considered the submissions of both the learned counsel, it discloses that the investigation is being conducted even as of now. It may be noted that by the A.P. Police orders, particularly Order No. 478 (5), mandated the investigation to be completed within a particular time frame and charge sheet to be filed. The same reads as under:

“5. The limitation permissible under law is quite liberal. It should not be construed to mean that the cases can be delayed up to the maximum period of

limitation. The following maximum time limits are prescribed for completion of investigation for some of the cases:

|          |                                                                                                                                                                                                     |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 4 months | for offences u/s 120A, 120B, 121 to 130, 403 to 409, 463 to 489E IPC and in complicated cases affecting the human body, culpable homicide and murder and complicated cases of cheating;             |
| 3 months | for offences u/s 363 to 374 IPC and Dacoity;                                                                                                                                                        |
| 2 months | for offences u/s 131 to 140, 166 to 171, 230 to 263A, grievous hurt, 339 to 348, 376 to 377, robbery, house breakings and theft, 421 to 424, 490 to 492 and 494 to 502 IPC;                         |
| 1 month  | for offences u/s 141 to 160, 171-A to 171-1, 191 to 227, simple cases of 299, 300, 349 to 374, theft, extortion, 425 to 440, 441 to 462, 503 to 511 IPC, and offences under special and local laws; |
| 15 days  | for offences u/s 172 to 190, 264 to 298, hurt, 410 and 414 IPC.                                                                                                                                     |

Note: The above time limits are prescribed with a view that no investigation shall be prolonged beyond a point. However, every effort should be made to complete the investigation as expeditiously as possible.”

In the light of the above, the investigation in Crime No.319 of 2017, registered for the offences under Sections 447, 427 and 506 of IPC, is required to be completed within one month from the date of registration of F.I.R. As per the submission of the learned Government Pleader for Home (TS), as of now, investigation has not yet been completed and necessary report would be filed before the appropriate Court. Therefore, there shall be a direction to the 2<sup>nd</sup> respondent to complete investigation, in relation to F.I.R.No.319 of 2017 of Rajanna Siricilla Police Station, within a period of four weeks from the date of receipt of a copy of this Order

With the above direction, the Writ Petition is disposed of. There shall be no order as to costs.

Consequently, the Miscellaneous Petitions pending, if any, shall stand closed.

**CHALLA KODANDA RAM, J**

Date:01.09.2017.  
Note: Issue C.C. forthwith.  
B/o  
Ssv