

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 27673 of 2017

ORDER:

The grievance of the petitioner is that there is no progress in the investigation into FIR No.476 of 2015, dated 14.08.2015, registered on the file of Ongole Taluka Police Station, Prakasam District, based on the complaint lodged by him.

A detailed counter-affidavit was filed by the Inspector of Police, Ongole Taluka Police Station, wherein it has been asserted as follows:

“It is submitted that all the allegations of the petitioner about not conducting investigation in Crime No.476 of 2015 are incorrect and untenable. The contention of the petitioner about registration of FIR No.15 of 2013 under Section 498-A IPC and Sections 3 and 4 of DP Act, basing on the complaint of the petitioner's wife and the subsequent acquittal of the petitioner in the said case have no bearing to the facts of the present case. Further, the allegation of the petitioner that at the instance of the 4th respondent, who is said to be relative of the 13th respondent, the investigation is not being conducted, is factually incorrect and untenable and concocted only for the sake of filing this writ petition. In fact, during the course of investigation, the investigating officer has examined (5) witnesses and recorded their statements. After completion of investigation, the case was closed as 'False', as per the orders of the Sub-Divisional Police Officer, Ongole Sub-Division, Ongole vide C.No.575/Refer/SDPO-O/2015, dated 30.09.2015. In this connection, after service complainant's notice to the petitioner, final report was filed before the Hon'ble III Additional Munsif Magistrate Court, Ongole, on 01.09.2017. Thus, there is no inaction in completing the investigation in Crime No.476/2015, as alleged by the petitioner in the writ petition. All other allegations of the petitioner against the respondent

Police authorities are totally false, baseless and hereby specifically denied.”

In the light of the above categorical assertions and there being no reply affidavit denying the averments made in the counter-affidavit, the writ petition is disposed of giving liberty to the petitioner to take appropriate steps under the Code of Criminal Procedure, if he is so advised.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

Dt:03.10.2017
kdl

CHALLA KODANDA RAM, J

