

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.7813 of 2017

ORDER:

It is the case of the petitioner that respondent Nos.2 to 5 are accused in Sessions Case No.275 of 2014 on the file of the learned IV Additional District Judge, Kakinada. The sixth respondent filed charge sheet after investigating the case. It is also stated that during the course of investigation LW.30 – the Investigating Officer, noticed that accused No.1 committed theft of cell phone belonging to the deceased after commission of murder and made phone calls through that cell phone. He obtained call details during the course of investigation. But, the said evidence was not placed before the Court. In those circumstances, the present Writ Petition is filed seeking a direction to the sixth respondent to place the electronic evidence in the pending Sessions Case No.275 of 2014.

As stated above, now Sessions Case No.275 of 2014 is pending before the Court of IV Additional District Judge, Kakinada, and it is open to the aggrieved party to bring it to the notice of the concerned Sessions Court with regard to the lapses committed by the Investigating Officer, if any, and assist the prosecution by taking appropriate steps.

In view of the availability of alternative remedy, this Court is not inclined to entertain the present Writ Petition, and the Writ Petition is, accordingly, disposed of granting liberty to the

petitioner to take appropriate proceedings in accordance with law. The miscellaneous petitions pending in this Writ Petition, if any, shall stand closed. There shall be no order as to costs.

(A.RAMALINGESWARA RAO, J)

07.03.2017
vs

