

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No. 11402 of 2016

Order:

This Writ Petition was filed challenging the action of the respondents 3 to 5 in not conducting the investigation and filing charge sheet in FIR No.253 of 2014 on the file of Korukonda Police Station, Rajahmundry Urban though the same was registered on 18.11.2014.

Now a counter affidavit is filed by the second respondent stating that the said crime was registered under Section 376 read with 114 and 384 IPC and under Section 67(a) of I.T. Act, 2000. Basing on the said complaint, the investigation was taken up by the Inspector of Police, Korukonda Circle. During the course of investigation, the complainant was sent to hospital for medical examination and seven (7) witnesses were examined. Their statements were recorded. Basing on the evidence *prima facie* case was established against the accused persons and they were arrested on 01.12.2014 and sent for judicial custody. It appears that in view of the allegations levelled against the police, the present Deputy Superintendent of Police issued a memo to the present Inspector of Police, Korukonda on 02.02.2015 for reinvestigating the case from the FIR stage. The victim was re-examined apart from her husband and six other witnesses. During the course of investigation, she disclosed other twenty (20) witnesses including her parents and brothers. The Additional Superintendent of Police, Law and Order and Traffic, Rajamahendravaram Urban was appointed as Investigating Officer. The Superintendent of Police, Rajamahendravaram Urban assured this Court that the Investigating Officer will finalize the investigation in an impartial and sincere manner. The said counter affidavit was filed on 01.06.2016.

In the circumstances, the Writ Petition is disposed of directing the concerned police officer to complete the investigation and file charge sheet in accordance with law as expeditiously as possible, if it is not done already. There shall be no order as to costs.

As a sequel thereto, the miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

A. RAMALINGESWARA RAO, J

Date: 23.01.2017
Nsr

