

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.29389 of 2017

ORDER:

The petitioner prays for the following relief:

“.....writ of mandamus, declaring the inaction of the respondents in not apprehending and producing the accused No.5 before the Court, though the accused No.5 is an employee and he is on duty from the date of offence to till date as illegal, improper and arbitrary and against cannons of justice, besides being violative of Article 14, 19, 21 of Constitution of India, consequently direct the respondents to arrest the accused No.5 forthwith and produce before the Court in connection with FIR No.115/2017 punishable U/s.323, 324, 354, 354(b), 506 r/w 34 IPC on the file of the Orvakal Ps, Kurnool District, in the interest of justice.”

The Assistant Government Pleader for Home places on record the proceedings of Sub Divisional Police Officer in C.No.631/SDPO-K/2017 dated 17.08.2017 and also the communication dated 25.08.2017 of 3rd respondent to petitioner. The respondents through proceedings and the letter read above, basing on the evidence secured in the investigation, decided to delete A-5 from the Charge Sheet filed on the complaint dated 16.06.2017.

Mr R.Ramanjaneyulu requests the Court to give opportunity to the petitioner to work out remedies available

against the communication or proceedings excluding A-5 from array of accused.

Writ Petition is dismissed by granting liberty as prayed for. No order as to costs.

Miscellaneous petitions, if any, pending, shall stand closed.

Dt: 31.10.2017
dv

S. V. BHATT, J

