

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.3519 of 2013

ORDER:

Heard Mr V.Raghunath, counsel for petitioner and Assistant Government Pleader (Home) for respondents.

The petitioner complains against inaction in conducting investigation into Crime Nos.57 of 2012 and 170 of 2012, as illegal and unconstitutional.

The 1st respondent filed counter affidavit and operative portion reads as follows:

"It is respectfully submitted that, basing on the said complaint a case in Cr.No.170/2012 U/s.454 and 380 IPC was registered on 14.07.2012 against P.H.Suresh Babu as accused on the file of Yemmiganur Police Station, Kurnool District and investigation was taken up.

It is respectfully submitted that, during the course of investigation, as many as five witnesses were examined including the complainant-petitioner and recorded their detailed statement. It is submitted that, Lws-2 to 5 have stated that, the accused is the brother of the complainant and there was a civil dispute between them. But as alleged by the complainant, the accused did not commit any offence. It is submitted that, the witnesses i.e., Lws-2 to 5 did not support the version of the complainant-petitioner herein.

It is respectfully submitted that, the investigation had revealed that, the complainant-petitioner had lodged false complaint against the accused. It is respectfully submitted that, the Asst. Superintendent of Police Officer, Adoni, Kurnool District, vide C.No.249/ASP-AND/2012, dated 28.09.2012 had accorded permission to refer the case as "false". It is submitted that, after serving the notice to the complainant-petitioner here on

15.02.2013, the final report was filed before the concerned Hon'ble Court on 19.02.2013. a copy of the final report and notice are filed along with this counter affidavit for kind perusal of this Hon'ble Court."

The statement is placed on record leaving it open to the petitioner to work out remedies available against final report referred to above.

Writ petition is dismissed. No order as to costs.

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

Dt: 08.11.2017
dv



S. V. BHATT, J

