

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.9333 OF 2011

ORDER:

This petition is filed for a writ of *Mandamus* declaring the action of the respondents in not taking action against the representation dated 11.01.2011 submitted by the petitioner to deposit the recovered theft articles in Crime No.167/2010 dated 13.10.2010 of Pattikonda Police Station, into the Court of Judicial Magistrate of First Class, Pattikonda and in not filing charge sheet, as illegal and arbitrary and for a consequential direction to the respondents to forthwith take action on the petitioner's representation.

Counter is filed by the 3rd respondent on his behalf and on behalf of respondents 1, 4 and 5, stating that basing on the complaint of the petitioner, a case in Crime No.167/2010 dated 13.10.2010 was filed under Section 454, 380 IPC on the file of 5th respondent police station and investigation was taken up in the said crime by the 4th respondent. It is further stated that the investigation officer has obtained PT warrants against the accused-Pasyam Raju and produced before the JFCM Court, Pattikonda and obtained police custody from the said Court on 23.01.2011; that during the course of interrogation of the accused, though the Pattikonda Police made their best efforts to recover theft property in Crime No.167/2010, relating to the

petitioner from the accused, but the accused reiterated and stated that he has sold away the theft property to the unknown person and he enjoyed with the money thereof on himself, except one gold ring weighing about 5 Gms. Accordingly, the gold ring weighing 5 Gms. was recovered by the investigating officer from the accused, Pasyam Raju, on 24.01.2011 and the said recovered property in Crime No.167/2010 of Pattikonda P.S., was deposited before the JFCM Court, Pattikonda vide CPR No.101/2011; and further after completion of investigation, charge sheet was filed on 31.01.2011 and after trial the aforesaid case was ended in acquittal vide CC.No.55/2011, dated 12.11.2014.

Heard learned counsel for the petitioner.

Learned Assistant Government Pleader basing on the counter affidavit states that the writ petition can be closed.

The same is not disputed by the learned counsel for the petitioner.

In view of the above, the writ petition is closed. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

A.RAJASHEKER REDDY, J

06.06.2017
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