

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.9539 OF 2011

ORDER:

This writ petition is filed declaring the action of the respondents 1 to 3 in not conducting the investigation in Crime No.41/2011 on the file of P.S., Ongole Taluka, Prakasham District in accordance with Rule 7(2) of SC/ST POA Act and Rules 1995, as illegal and arbitrary.

Counter affidavit is filed stating that the Assistant Superintendent of Police, Ongole, after conducting investigation has deleted Section 3(1)(x) of SC's and ST's (POA) Act, 1989 in Crime No.41/2011, as per the orders of the Superintendent of Police, Prakasham District vide C.No.14/C1/DCRB/Refer/11, dated 31.03.2011 and filed a Memo before the III Additional Munsif Magistrate Court, Ongole in respect of the same. Thereafter, as per the permission of III Additional Munsif Magistrate, Ongole, further investigation was taken up under Section 323 & 506 IPC in Crime No.41/11, charge sheet was filed against the accused and the said case was ended in acquittal vide CC.No.87/2014, dated 17.03.2016 by the Special Mobile Court, Ongole.

In view of the assertions made in the counter affidavit, the cause in the writ petition does not survive. Accordingly, the writ petition is dismissed. No costs.

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

A.RAJASHEKER REDDY, J

01.06.2017

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