

HON'BLE DR. JUSTICE B. SIVA SANKARA RAO

WRIT PETITION No.3469 of 2017

ORDER:

Heard learned counsel for the petitioner and learned Government Pleader for Home for respondents 1 to 3 and before ordering notice to the unofficial respondents, the so called accused in crime No.143 of 2016 of Nasrullabad Police Station (transferred from Birkur Police Station) and perused the prayer in the writ petition with the supporting affidavit and recorded the personal appearance of the SHO, Nasrullabad-3rd respondent with part-I case diary and the referred report and sending of proof by registered post covered by registered receipt dated 14.02.2017 in R.No.19132860IN.

It is the supporting affidavit averments vis-à-vis oral submissions of the learned counsel for the writ petitioner that the police particularly the 3rd respondent-SHO at the instance of the accused persons keeping the crime registered in cold storage to twist the real facts in investigation.

Whereas it is the submission of the learned Government Pleader for Home that the crime was investigated and final referred report under Section 173 CrPC was filed and when personally chosen to serve not accepted by the defacto complainant on 27.12.2016, sent by registered post and no acknowledgment received and the defacto complainant is aware of the same and knowingly filed the writ petition to twist the facts.

In view of the same and the case diary shows only sending of the referred report result to the defacto complainant and not acknowledgment, the Writ Petition is disposed of by left open any

grievance of the defacto complainant/writ petitioner to raise protest to the referred report by virtue of this order within fifteen (15) days from the date of receipt of this order.

Consequently, miscellaneous petitions, if any shall stand closed. No costs.

JUSTICE Dr. B.SIVA SANKARA RAO

Date: 30.04.2018
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