

THE HON'BLE SRI JUSTICE A.V.SESHA SAI

W.P.No.3515 of 2018

ORDER:

When the matter is taken up for hearing, written instructions dated 15-02-2018 furnished by the Sub-Inspector of Police, Tenali Rural Circle, Guntur District are placed on record by the learned Government Pleader for Home. As such, instructions, to the extent of their relevancy, read as under:-

“It is submitted that the allegations raised by the writ petitioner against the respondent police herein are not true and correct. Those are baseless and concocted for filing of this writ petition.

It is submitted that on 18.10.2017, the writ petitioner herein submitted a written report dated 15.10.2017 to the 5th respondent herein for registering the crime by stating that his e-mail ID (lankarasidhar@gmail.com) was hacked by some unknown offender and caused irreparable loss to him, as his ID has linked with his i-cloud account.

It is further submitted that basing on the said complaint, the 5th respondent herein registered a case in crime No.148/2017 for the offence U/s.66 of Information Technology Act, 2008. After registering the said crime, the Investigating Officer examined the writ petitioner as LW1 and recorded his statement. As the case is involved with the technical issues, the 5th respondent herein sent requisition on 03.02.2018, to the Superintendent of Police, CID (Cyber Crime), for issuance of mail logs from the service provider i.e. Google. The same is pending consideration.

As of now, the investigation completed, no accusation has made out against the 6th respondent herein or any person, as the vital information has to be collected from Google services.

It is pertinent to mention here that the writ petitioner herein filed the present writ petition against the respondent police by raising certain allegations and also made the 6th respondent herein as a party to this writ petition, though there is no necessity and she is no way concerned with the present crime. In the enquiry, it came to know that, the 6th respondent herein filed a complaint before the Station House Officer, Nallapadu Police Station, Guntur Urban District, against the writ petitioner herein vide crime No.587/2017 for the offence U/ss.354-A, 354-C, 354-D, 506, 379 and 109 IPC and the same is under investigation.

It is further submitted that the main attention of the writ petitioner herein is that to harass the 6th respondent herein and to diver the respondent police from the case, which was filed by the 6th respondent herein only.

It is submitted that except above stated reason, there is no willful delay or personal interest in not completing the investigation in the present crime, as alleged by the writ petitioner herein. The respondent Police have great respect on the Courts and its orders. I should register the crime, if she appears before the respondent police or

as per the orders, if any, passed by this Hon'ble Court in connection with this writ petition.

Having regard to the above instructions and taking into consideration the submission of the learned counsel for the petitioner and learned Government Pleader for Home, this court deems it appropriate to dispose of the writ petition by placing on record the above mentioned written instructions with a further direction to the police authorities to complete the investigation in the said trial as early as possible. No order as to costs. Miscellaneous Petitions pending, if any, shall stand closed.

A.V.SESHA SAI, J

Date: 27.02.2018
TSNR

