

THE HONOURABLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.7377 OF 2018

ORDER:

Heard learned counsel for the petitioner and the learned Government Pleader for Home (TG) appearing for the official respondents.

2. When the matter is taken up, written instructions, dated 06.03.2018, furnished by the Sub-Inspector of Police, Vanasthalipuram Police Station, Rachakonda Commissionerate are placed on record by the learned Government Pleader for Home. The said instructions read as under:-

“One Sri G.Manohar Reddy (5th respondent herein) has approached the police of Vanasthalipuram Police Station and lodged a complaint on 25.1.2018 against the petitioner herein as he trespassed into his lands situated at Saheb Nagar Khurd Village and threatened him with dire consequences and upon which, a case in Cr.No.81/2018 U/secs.447 and 506 IPC dt.25.1.2018 was registered against the petitioner herein and taken up the investigation into the case.

During the course of investigation, this respondent being the investigation officer examined the complainant/5th respondent herein and recorded his detailed statement. Truth or otherwise will come out only basing on the evidence adduced during the course of investigation, it means, this respondent police are interfering with the civil disputes between them.

I humbly submit that the investigation is under progress. Necessary steps will be taken against the petitioner/accused depending on the evidence adduced during the course of investigation into the case. Basing on the total outcome of the investigation into the case,

appropriate report U/sec.173 Cr.P.C. will be filed into the Hon'ble Court concerned.

It is submitted that on receipt of phone calls from this respondent police station he attended before the respondents police and produced the relevant documents and informed the case facts about the lands in question but the police did not listen to him and however asked him to settle the dispute with the 5th respondent herein or else he has to face the consequences is utterly false and hence denied.

It is pertinent to submit that except registration of the above case and proceeding with the investigation into the case as contemplated under law, this respondent never interfered with the civil dispute as alleged. Unless and until, the petitioner/accused cooperates with the investigating agency for the purpose of investigation into the case, fair and proper investigation cannot be conducted by the investigating agency.

It is also pertinent to submit that to divert the attention of the investigating agency in not conducting the investigation into the case, the petitioner filed the present writ petition with false and untenable allegations."

3. Having regard to the above said instructions and taking into consideration the submissions of Smt K.Sesha Rajyam, learned senior counsel appearing for the petitioner, and the learned Government Pleader, this Court deems it appropriate to dispose of the writ petition by placing on record the above said instructions.

4. Accordingly, the Writ Petition is disposed of. There shall be no order as to costs.

5. Miscellaneous Petitions pending, if any, in this Writ Petition shall stand closed.

JUSTICE A.V.SESHA SAI

Date : 07.03.2018
AMD



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AMD