

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.9632 of 2018

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed by the petitioner seeking verbatim the following relief:

“For the reasons stated in the accompanying affidavit, It is prayed that this Hon’ble Court may be pleased to issue writ or order or direction more particularly one in the nature of WRIT of MANDAMUS declaring the inaction of the respondent No.2 to 4 herein, in conducting proper investigation strictly in accordance with the provisions of Cr.P.C, in Crime No.79/2018, dt.07.02.2018, on the file of Bheemavaram I Town Police Station, which was registered basing on the petitioner’s complaint dt.7.2.2018, as illegal, arbitrary, in utter violation of the provisions of Criminal Procedure Code and further direct the respondent Nos.2 to 4, to conduct proper investigation in FIR No.79/2018 on the file of Bheemavaram 1-Town Police Station, strictly in accordance with the provisions of Criminal Procedure Code, to trace out the petitioner’s husband namely Alluri Subba Raju and pass such other order or orders as may be just and necessary.”

2. I have heard the submissions of Sri *Rama Rao Mavidi*, learned counsel appearing for the petitioner, and of the learned Government Pleader for Home (A.P.) appearing for the respondents 1 to 4. I have perused the material record.

3. Learned counsel for the petitioner would submit that though the crime has been registered long time back, no action has been taken against the suspects and that the investigation is not being conducted in a proper manner by the Investigating Officer, by following the procedure established by law, and that unless this Court directs the respondents 2 to 4, no proper investigation would be conducted into the crime and the husband of the petitioner would not be traced.

4. Learned Government Pleader for Home, on written instructions, a copy of which is placed on record, would submit that according to the contents of the report lodged with the Police, one Kanumuri Rangaraju stays in Vizag; that the husband of the petitioner informed her that he is going to the house of Rangaraju and left the house; that later, he was not traced; that the investigation so far conducted revealed that the said Rangaraju informed that after meeting him, the husband of the petitioner boarded an auto at Delhi Sheets giving a cash of Rs.100/-; that the Investigating Officer searched for the missing person at various places including the houses of the friends and relatives of the petitioner; that he did all that is necessary in the matter including the verification of the call details of the suspected persons; that the report with regard to call details is awaited; and, the investigation is continuing and is going on, on proper lines.

5. Having regard to the submissions, the Writ Petition is disposed of directing the 4th respondent to continue with the investigation on proper lines and complete the investigation, as early as possible, and file a final report before the Court of the learned Magistrate concerned, by following the procedure established by law. There shall be no order as to costs.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order.

M.SEETHARAMA MURTI, J

Date: 10th April, 2018

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