

HONOURABLE SRI JUSTICE T. AMARNATH GOUD

WRIT PETITION No.12790 of 2015

ORDER:

The present Writ Petition is filed by the petitioner declaring the action of the 2nd respondent in not directing the 5th respondent to conduct fresh investigation including recording statements under section 161 Cr.P.C in respect of Cr.No.1257 of 2009 of Kukatpally police station, Cyberabad, now C.C.No.1803 of 2012, on the file of the IX Metropolitan Magistrate, Kukatpally, Cyberabad, without assigning valid reasons as illegal, arbitrary and unjust and consequently direct the 2nd respondent to pass appropriate direction to the 5th respondent basing upon the representation dated:01.12.2014, to conduct fresh investigation including recording statements under section 161 Cr.P.C in respect of Cr.No.1257 of 2009 of Kukatpally police station, Cyberabad now C.C.No.1803 of 2012, on the file of the IX Metropolitan Magistrate, Kukatpally, Cyberabad, in the interests of justice and equity and to pass such other order or orders as this Honourable Court deems fit and proper in the circumstances of the case.

2. The relief sought by the petitioner cannot be granted under Article 226 of the Constitution as the petitioner is having effective remedy before the Court below where the criminal cases are pending trial. Hence, the Writ Petition is dismissed.

Pending Miscellaneous Petitions, if any, shall stand closed.

JUSTICE T. AMARNATH GOUD

Dated:31-12-2018
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