

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.11869 of 2018

ORDER:

In this Writ Petition, under Article 226 of the Constitution of India, the only grievance of the writ petitioner is in respect of non-registration of a crime pursuant to the report, dated 01.02.2018, lodged with the Station House Officer, Martur Police Station, Martur Town & Mandal, Prakasam District/4th respondent herein.

2. I have heard the submissions of Sri *Kolluri Arjun Chowdary*, 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 submits that the report lodged discloses cognizable offences including the offences punishable under the provisions of the Schedule Caste and Schedule Tribes (Prevention of Atrocities) Amendment Act, 2015.

4. Learned Government Pleader for Home submits that after receipt of the complaint, a preliminary enquiry was made and the enquiry is going on.

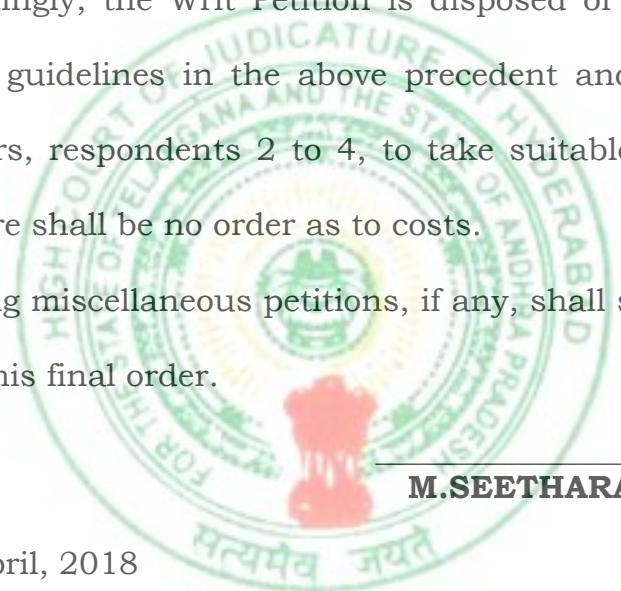
5. Learned counsel for the petitioner submits that if the Police Officer is directed to follow the precedential guidelines in **Lalita Kumari Vs. Government of Uttar Pradesh**¹, the ends of justice would be met.

¹ (2014) 2 SCC 1

6. The Constitution Bench of the Supreme Court summarised the law in the cited decision with regard to registration of crimes. In the light of the settled legal position in the said decision, the Police Officer shall not keep quiet on receipt of a complaint/report disclosing cognizable criminal offence. In the event, the offence alleged is non-cognizable one, the police authorities are bound to follow the due procedure laid down in Section 155 of the Code of Criminal Procedure, 1973. In any event, the police authorities are required to take necessary action in the matter, expeditiously.

7. Accordingly, the Writ Petition is disposed of reiterating the precedential guidelines in the above precedent and directing the Police Officers, respondents 2 to 4, to take suitable action in the matter. 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: 27th April, 2018

KL

46

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI



WRIT PETITION No.11869 of 2018

Date: 27th April, 2018

KL