

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.12578 of 2018

ORDER:

In this Writ Petition, under Article 226 of the Constitution of India, the only grievance of the writ petitioners is that though there is sufficient incriminating material showing the complicity of the four other accused, namely G.Varahalamma, Dokala Manga, D.Surayanarayana & Budi Ramanamma, the Investigating Officer, without properly investigating into the crime and without collecting the necessary incriminating material and evidence against the said accused, deleted the names of the said four accused and filed a charge sheet and eventually the Sessions Case is being proceeded with against the remaining accused, but not against the accused mentioned above against whom a charge sheet ought to have been filed, by following the procedure established by law.

2. I have heard the submissions of Sri *R.Siva Sai Swaroop*, learned counsel appearing for the petitioners, and of the learned Government Pleader for Home (A.P.) appearing for the respondents 1 to 4. I have perused the material record.

3. At the hearing, learned counsel for the petitioners would submit that as on today, the trial in the Sessions Case in S.C.No.21 of 2014, on the file of the learned Special Judge for SC & ST (POA) Cases-cum-XI Additional District Judge, Visakhapatnam, has not been commenced.

4. Having regard to the submissions, the Writ Petition is disposed of reserving liberty to the petitioners to avail the

remedies, which the law permits by approaching the trial Court, before which the Sessions Case is pending. 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: 13th April, 2018

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240

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