

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.12240 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 hereby prayed that this Hon’ble Court may be pleased to issue writ order or direction more particularly one in the nature of writ of ‘Mandamus’ declaring the action of the 4th respondent in not submitting the charge sheet in FIR No.277/2017 dated 18-12-2017 as illegal, arbitrary, unjust, unreasonable and contrary to Law and consequently direct the respondents-2 to 4 to submit the charge sheet in FIR No.277/2017 dated 18-12-2017 immediately in the interest of justice and to pass such other order or orders as this Hon’ble Court may deems fit just and proper in the circumstances of the case.”

2. I have heard the submissions of Sri *D.Ramakrishna*, learned counsel appearing for the petitioner, and of the learned Government Pleader for Home (Telangana) appearing for the respondents 1 to 4, and of Sri *J.Srinivasa Rao*, learned Standing Counsel for Singareni Collieries appearing for the 5th respondent. I have perused the material record.

3. Learned counsel for the petitioner submits as follows: ‘The petitioner filed a private complaint in SR.No.3483 of 2017, on 01.12.2017, under Section 200 of the Code of Criminal Procedure, 1973, before the Court of the learned II Additional Judicial Magistrate of First Class, Kothagudem. The said learned Magistrate referred the said complaint to the Police. Pursuant thereto, a case in Crime No.277 of 2017 was registered, on 18.12.2017, by the Station House Officer, II Town Kothagudem Police Station, Bhadradi Kothagudem District, 4th respondent

herein, for the offences punishable under Sections 420, 468 & 409 of Indian Penal Code, 1860, and Section 156(3) of the Code of Criminal Procedure, 1976. As the investigation is not completed and charge sheet is not filed, the learned Magistrate issued a final Memo, dated 14.12.2017, to the Police Officer concerned to complete the investigation and file, without fail, a final report, on or before 08.02.2018. Despite such a final memo served on the Police Officer concerned, no further action has been taken.'

4. Having regard to the facts and submissions, the Station House Officer, II Town Kothagudem Police Station, Bhadrachalam Kothagudem District, is directed to complete the investigation into the afore-stated crime expeditiously and file a final report, either way, 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: 11th April, 2018

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