

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.13232 OF 2018

ORDER:

In this writ petition, under Article 226 of the Constitution of India, the only grievance of the petitioners is in respect of non-completion of investigation into the case in Crime No.119 of 2016 on the file of Madikonda Police Station and non-filing of the charge sheet despite lapse of nearly two years.

2. I have heard the submissions of Sri Ch.Ravinder, learned counsel for the petitioners, and of the learned Government Pleader for Home (TG), appearing for the respondents 1 and 2. I have perused the material record.

3. At the hearing, learned counsel for the petitioners submits that despite registration of the crime in the year 2016, neither investigation is completed nor the accused therein are arrested and that therefore, the present writ petition is filed.

4. Learned Government Pleader for Home, on written instructions, dated 17.04.2018, a copy of which is placed on record, would submit as follows:

‘After registration of the crime for the offences punishable under Sections 307, 398 and 506 read with 147 I.P.C. against the respondents 3 to 14, investigation is taken up; that, on 25.09.2017, the learned Special Judicial Magistrate of First Class for Excise Cases, Warangal, recorded the statements of L.Ws.4 to 10, under Section 164 Cr.P.C. The Medical Officer, M.G.M.

Hospital, Warangal, issued the wound certificate of L.W.2, on 21.10.2016, certifying the injuries as “simple in nature”. However, the complainant furnished wound certificate of L.W.2 from a private hospital/Rohini Medicare Private Limited, Subedari, Hanamkonda, on 27.02.2018, which reflected that the injuries sustained are “grievous” in nature. Therefore, an expert’s opinion was sought. The expert gave an opinion, on 14.04.2018, opining that the injury is “grievous” in nature. In the said circumstances, there was delay in the investigation. The Investigating Officer will expedite the investigation and file a final report, either way.’

5. Recording the submissions, the Writ Petition is disposed of directing the Investigating Officer to expedite the investigation into the aforestated crime and file a final report, either way, as expeditiously as possible, however, by strict adherence to the procedure established by law. There shall be no order as to costs.

Miscellaneous Petitions pending, if any, in this Writ Petition shall stand closed.

JUSTICE M.SEETHARAMA MURTI

Date: 26.04.2018
AMD

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