

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.23283 OF 2018

ORDER:

The case of the petitioner is that she made complaint before the 4th respondent against the unofficial respondents and the same was registered in Crime No.55 of 2012 on the file of the Amalapuram Town P.S., under Sections 323, 447, 506, 354, r/w. 34 IPC; that after investigation charge sheet is filed and the same is numbered as C.C.No.165/2013. The grievance of the petitioner is that though the ingredients of the statement given by the petitioner under Section 161 Cr.P.C. attracts Section 354 IPC, the respondent No.4, while filing charge sheet has not mentioned the said section. Aggrieved by the same, present writ petition is filed.

Heard learned counsel for the petitioner.

Draft counter placed by the learned Assistant Government Pleader for Home shows that the Investigating Officer has examined as many as 9 witnesses; that after completion of investigation basing on the evidence adduced in the investigation, the 4th respondent has deleted Section 354 IPC and filed charge sheet against the accused under Sections 447, 323, 506 r/w.34 IPC on 07.03.2012 before the AJFCM Court, Amalapuram.

In this case it is to be seen that the petitioner has remedy of filing protest petition before the Court where charge sheet is filed, regarding deletion of Section 354 IPC in the charge sheet.

In view of the same, the writ petition is disposed of granting liberty to the petitioner to avail remedy of filing protest petition before the concerned court. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

A.RAJASHEKER REDDY, J

17.07.2018
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