

THE HON'BLE SRI JUSTICE P.KESHA VA RAO

WRIT PETITION No.227 OF 2015

ORDER:

There is no representation on behalf of the petitioner.

The prayer sought for in the writ petition is as under:

“to issue an appropriate Writ more in the nature of Writ of Mandamus declaring the action of the SHO, Begum Bazar Police Station, Hyderabad, the 4th respondent herein in pressurising the petitioner to pay the interest part on the amounts returned to the 5th respondent, thereby interfering into the civil matters and not closing the case registered under FIR No. 146/2014, despite during the examination in the PS the 5th respondent has accepted that he is received the money, as being arbitrary and illegal and violative of Article 14 and 21 of the Constitution of India and consequently direct the 5th respondent not to convert the civil litigation into a criminal case and to close the case registered as FIR No. 146/2014.”

During the course of arguments, the learned Government Pleader appearing for the respondents 1 to 4 placed on record the written instructions dated 09.01.2015 issued by the Inspector of Police, Begum Bazaar Police Station, Hyderabad. A perusal of the said instructions would reveal that pursuant to the complaint dated 20.06.2014 lodged by the 5th respondent, Crime No.146 of 2014 for the offences under Sections 448, 420, 506 r/w 34 I.P.C. was registered against the accused including the petitioner herein. During the Course of investigation, a notice under Section 41-A of Cr.P.C. has been issued to the petitioner along with other accused. After completion of investigation, a charge sheet has been filed before the Court of XVII Additional Chief Metropolitan Magistrate, Nampally, Hyderabad on 06.01.2015. It is also mentioned that a

prima facie case has been made out against all the accused including the petitioner herein for the offences with which, they are charged. Since the petitioner has received a notice under Section 41-A of Cr.P.C. and a charge sheet has been filed against him, with a *mala fide* intention to bring pressure on the investigating agency, the present writ petition is filed. The investigation taken up by the investigating agency as per law does not amount to interference in the civil disputes between the petitioner and the 5th respondent, as alleged in the writ petition.

In the light of the above, this Court is of the opinion that no further orders are required in the writ petition and the same is accordingly closed. No costs.

Pending miscellaneous petitions, if any, shall stand closed.



P.KESHA VA RAO,J

22nd NOVEMBER 2018.

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