

THE HONOURABLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.34843 of 2018

ORDER:

When the matter is taken up, written instructions dated 20.09.2018 furnished by the Sub-Inspector of Police, Devarakonda Police Station, Nalgonda District are placed on record by the learned Government Pleader for Home.

To the extent of their relevance to the present writ petition, the said instructions read as under:

“On a complaint of Sri Kondkindi Raja Subash Chander, Contractor lodged with the police of Devrakonda Police Station, Nalgonda District, a case in Cr.No.205/2018 U/secs.324, 384 r/w 34 IPC dt.9.9.2018 was registered against Mr.Pabbu Venkatesh and others and taken up the investigation into the case.

The gist of the complaint is that on the request of Sri Yetelly Ramulu, the complainant and his workers Burri Sharath and Pothumbhaka Surya Prakash went to Yetelly Ramulu sand reach who got permission from the Telangana State Government for lifting the sand from his fields nearby Thatikole stream. On pretext some of Thatikole villagers Mr.Pabbu Venkatesh and others attacked on the complainant and his workers with sticks and stones and beaten them indiscriminately.

It is submitted that on a complaint of Sri Pothumbahaa Surya Prakash lodged with the police of Devarakonda Police Station, a case in Cr.No.206/2018 U/sec.435 r/w 34IPC dated 11.9.2018 was registered against Mr.Pabbu Venkatesh and other and taken up the investigation into the case.

The gist of the complaint is that the accused in the FIR (already accused FIR No.205/2018) set ablaze his two Hitachi Machinery and caused damage and lost property of about one crore.

With regard to Cr.No.205/2018 is concerned, the investigation officer examined as many as 5 witnesses and recorded their detailed statements. Prima facie is clearly made out that all the accused A1 to A9 have committed the offences mentioned in the FIR beyond all reasonable doubt.

Accordingly, notice U/sec.41-A Cr.P.C. 19.09.2018 was issued to all the accused A1 to A9.

Almost the investigation is at the concluding stage. Appropriate charge sheet will be filed as expeditiously as possible by following the due procedure into the Hon'ble Court.

With regard to Cr.No.206/2018 is concerned, the investigation officer examined the complainant and another and recorded their detailed statements. Prima facie case is yet to be established. No clues are available at present who committed the offence U/sec.435 r/w 34IPC.

Investigation in Cr.No.206/2018 is under progress. Basing on the total outcome of the investigation, appropriate action will be taken against the concerned persons and subsequently appropriate report will be filed before the concerned Hon'ble Court at the earliest.

I humbly submit that I assure to this Hon'ble Court charge sheet will be filed in Cr.No.205/2018 before the concerned Hon'ble Court within 2 weeks and the investigation will be completed in Cr.No.206/2018 at the earliest as no clues are available who committed the offence."

On noticing the above instructions, a request is made by the learned counsel for the petitioner to place the said instructions on record and dispose of the writ petition.

Accordingly, the writ petition is disposed of by placing on record the written instructions dated 20.09.2018 furnished by the Sub-Inspector of Police, Devarakonda Police Station, Nalgonda District. There shall be no order as to costs.

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

JUSTICE A.V.SESHA SAI

Date :23.10.2018
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