

THE HONOURABLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.36818 of 2018

ORDER:

When the matter is taken up, written instructions dated 01.10.2018 furnished by the Sub-Inspector of Police, Kovuru Police Station, SPSR Nellore 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:

“It is submitted that pursuant to the said complaint, a case was registered as Cr.No.252/2017 dated 04.09.2017 for the offences U/s.252/2017 U/s.447, 323 r/w 34 IPC against the accused (A-1 to A-3) on the file of Kovuru Police Station, SPSR Nellore District and investigation had been taken up. During the course of investigation as many as nine (9) witnesses were examined and recorded their detailed statements. As per the evidence, the complainant is not working as watchman to the site of Allur Raju and no quarrel took place on 3.9.2016. A1, A-2 and A-3 are working at the site of one Mr.Prashanth Kumar and they did not enter into the site of the said Allur Raju on the alleged date or at any time.

The medical officer issued wound certificate on 09.12.2017 and opined that “no external injuries found”.

It is submitted that basing on the evidence of the investigation revealed that the complainant/petitioner lodged false complaint against the accused. In this connection, the Sub-Divisional Police Officer, Nellore Rural accorded permission to refer the case as “false” vide C.No.172/Ref-SDO-NR/2018 dated 29.03.2018. After serving the notice to the complainant, the final report as “false” will be filed before the concerned Hon’ble Court.”

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 01.10.2018 furnished by the Sub-Inspector of Police, Kovuru Police Station, SPSR Nellore District, leaving it open to the petitioner herein to avail the alternative remedies available under law. 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 :25.10.2018
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