

HON'BLE SRI JUSTICE A.V.SESHA SAI

W.P.No.35658 of 2018

ORDER:-

When the matter is taken up, the written instructions furnished by the Sub-Inspector of Police, Nellore IV (T) Police Station, SPSR Nellore District, dated 16.11.2018, are placed on record by the learned Government Pleader. The said instructions read as under:-

“It is submitted that the petitioner herein lodged a complaint with regard to house burglary by night under M.O. Window-1, that occurred on the intervening night of 21/22.10.2012 on 22.10.2012 and committed theft of gold jewels etc., weighing about 31 Sovegn and about Rs.2,51,000/- and decamped with the booty.

It is submitted that pursuant to the said complaint, the then Investigating Officer registered a case as Cr.No.216/2012 for the offences under Sections 457 and 380 I.P.C., against unknown persons on the file of 4tyh respondent Station House Officer, Nellore IV Town Police Station, SPSR Nellore District and investigation had been taken up. During the course of investigation, as many as six (6) witnesses were examined and recorded their detailed statements and inspected the scene of offence, prepared observation report in the presence of mediators, examined the complicity of M.O. criminals and made efforts to detect the case. As there are no clues in near future to detect this Offence. The then Investigating Officer also examined MOs criminals on 10.01.2013, but no clues come forth and he completed the investigation and revealed “undetectable”. In this connection, the then

Investigating Officer obtained permission from the Superintendent of Police, SPSR Nellore vide C.No.5968/C1/2014, dated 24.12.2014. The then Investigating Officer tried to serve the notice to the complainant and revealed that the petitioner was not resided at the given address.

It is submitted that the present Investigating Officer-Sub-Inspector of Police verified the Case Diary in the above FIR and filed the final report as 'UN-DETECTABLE' before the Hon'ble V-Addl. Judicial Magistrate of First Class, Nellore, on 31.10.2018. The copy of final report is enclosed herewith for kind perusal of the Hon'ble High Court."

Having regard to the contents of the written instructions, this Court deems it appropriate to dispose of the Writ Petition, by placing on record the said instructions furnished by the Sub-Inspector of Police, Nellore IV (T) Police Station, SPSR Nellore District, dated 16.11.2018.

Miscellaneous petitions pending, if any, shall stand disposed of. There shall be no order as to costs.

A.V.Sesha Sai, J

Date:23.11.2018
smr