

THE HONOURABLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.36263 of 2018

ORDER:

When the matter is taken up, written instructions dated 08.10.2018 furnished by the Sub-Inspector of Police, Punganur Police Station, Chittoor 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 the Writ Petitioner submitted a report before the Police Punganur against the Respondent No.4 and 5 on 14.12.2017. Basing on the report a case in Cr.No. 250/2017 was registered against the respondents 4 and 5 for the offences under Section 403, 407, 420 r/w 34 IPC. The Sub Inspector of Police, Punganur examined 25 witnesses and recorded their statements. Efforts are continued to apprehend the accused but the accused are at large. The investigating Officer deputed crime party to apprehend the accused/Respondent 4 and 5. Sincere efforts are being made to apprehend the accused/respondents 4 and 5. The real facts will come into picture until the accused/Respondents 4 and 5 are apprehended. The Investigating Officer also made efforts to trace out the whereabouts of the respondents 4 and 5. The call details of the respondents 4 and 5 are closely monitoring to apprehend them.

It is submitted that a Private complaint was filed by the Manager of Corporation Bank, Somala branch before the Judl. Magistrate of First Class, Punganur and the same was forwarded to the Station House Officer, Punganur under Section 156 (3) Cr.P.C. for registration and investigation against the Writ Petitioner, his wife and others. Basing on the complaint a case in Cr.No. 67/2018 for the offence u/sec. 408, 421, 427 r/w 34.

It is further submitted that, another private complaint filed by the Manager of Corporation Bank, Punganur branch before the Judl. Magistrate of First Class, Punganur and the same was forwarded to the Station House Officer, Punganur under Section 156(3) Cr.P.C for registration and investigation against the Writ Petitioner, his wife and others. Basing on the

complaint a case in Cr.No. 68/2018 to the offence u/sec. 408, 420, 421, 427 r/w 34 IPC.

It is submitted that the Writ Petitioner filed the present Writ Petition to avoid criminal proceedings in Cr.No. 67/2018 and Cr.No. 68/2018 filed against the Writ Petitioner and his wife by the Managers of Corporation Bank, Somala and Punganur.

It is submitted that the Writ Petitioner did not approach the Hon'ble Court with clean hands, and on the other hand to avoid criminal proceedings in Cr.No. 67/2018 and Cr.No. 68/2018 filed the present Writ Petition."

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 08.10.2018 furnished by the Sub-Inspector of Police, Punganur Police Station, Chittoor District, with a further direction to expedite the investigation. 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
dv