

THE HONOURABLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.36483 of 2018

ORDER:

When the matter is taken up, written instructions dated 08.10.2018 furnished by the Sub-Inspector of Police, Vedurukuppam 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 on a complaint from the Writ Petitioner a case was registered in Cr.No.29/2016 against the accused 1 to 7 for the offence U/sec.384, 341, 367, 506 r/w/120(B) r/w. 34 IPC by the Sub-Inspector of Police, Vedurukuppam P.S. Thereafter the CD file was transferred to the Inspector of Police, Karvetinagaram Circle. The Inspector of Police recorded the statement of complainant and other witnesses. The Investigating Officer arrested the accused 2, 3 and 4. A1, A5 and A6 obtained anticipatory bail. During the course of investigation, the investigating Officer deleted the name of the accused No.7 from the crime after obtaining permission from the Deputy Superintendent of Police, Puttur. During the course of investigation, the investigating Officer made 4 requisitions dated 23.11.2016 to the Managers of Indian Bank, Chotagunta, Pachikapalam, Karvetinagaram and IDBI Bank of Tirupathi to freeze the accounts of A2 and A3. A2 is having 6 bank account in Indian Bank. Vedurukuppam and the total amount of Rs.26,01,383/- has been freezed on 31.01.2017. A2 also having account in Indian Bank, Pachikapalam, a sum of Rs.20,00,000/- has been freezed on 31.01.2017. A3 is having bank account in Indian Bank, Karvetinagaram having an amount of Rs.24,00,000/- the said amount of Rs.24,00,000/- has been freezed on 31.01.2017. A3 is having bank account in IDBI Bank, Air By-pass Road Junction, Tirupathi having Rs.1,60,000/- and the aid amount was freezed. Thus, the total amount of Rs.71,61,383/- has been freezed from the bank account of the Accused No.2 and 3. the remaining balance of Rs.20,38,617/- was spent by the accused No.2 and 3 along with

A1 & A4 for their personal use. After completion of investigation charge sheet was filed before the Court of Judicial Magistrate of First Class, Puttur. The accounts of A2 and A3 are still under freeze till today. The Jdl.Magistrate of First Class, Puttur assigned C.C.No.196/2017 and the case is coming for examination of accused.

It is submitted that, in fact the investigation Officer did not seized the liquid cash from the possession of the accused. The investigating Officer made requisitions to the Banks to freeze the Bank accounts to the accused No.2 and 3 till the disposal of the case in C.C.No.196/2017 pending before the Jdl.Magistrate of First Class, Puttur.

The Writ Petition did not approach the Court of Judicial Magistrate of First Class, Puttur of return of case property from 2016 to till date. The investigating Officer filed charge sheet in the year 2017.”

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, Vedurukuppam Police Station, Chittoor 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 :25.10.2018
dv