

HON'BLE SRI JUSTICE A.V.SESHA SAI

W.P.No. 39962 of 2018

ORDER:-

When the matter is taken up, the written instructions furnished by the Sub-Inspector of Police, Mamnoor Police Station, Warangal Police Commissionerate, dated 08.11.2018, are placed on record by the learned Government Pleader. The said instructions read as under:-

“One Smt.Puppala Smulatha @ Pendi Sumalatha, W/o.Ashok Babu/8th respondent herein has approached the police of Mamnoor Police Station of Warangal District and lodged a complaint on ...11.2018 stating that her father given land in Sy.No.144/C plot No.37 to an extent of 287 Sq.Yds., at the outskirts of Ramagopalpuram and that one Mr.Muthuneni Krishna Murthy and others trespassed into his land and threatened her with dire consequences and requested to take necessary action as per law.

Basing on the contents of the above complaint, a case in Cr.No.132/2018 under Sections 447 and 506 r/w 34 I.P.C., dated 01.11.2018 was registered on the file of Mamnoor Police Station and taken up the investigation into the case.

The petitioners herein are shown as accused in the F.I.R.

It is submitted that the FIR was registered on 01.11.2018. The investigation is at the initial stage. Necessary steps will be taken against the concerned accused in the FIR including the petitioners herein by following the due procedure.

It is pertinent to submit that on coming to know the lodging of the above complaint with this respondent police station, with a malafide intention and having bore grudge against the unofficial respondents herein on whose complaint, the above was registered and investigated into and also mainly to escape from their

criminal overt acts in the commission of offence including to divert the attention of the investigating agency in not conducting the investigation into the case in fair and impartial manner, the petitioners filed the present Writ Petition with false and untenable allegations.

It is submitted that except registration of the above case and proceeding with the investigation into the case, this respondent never interfered with the subject lands of the petitioner herein nor ask them to settle the matter with the unofficial respondents herein.

When the investigation is at the initial stage, for want of collection of evidence, at this juncture, if any orders/directions are passed, taking advantage of the same, the investigating agency cannot take any action against the concerned accused in the F.I.R.”

Accordingly, the Writ Petition is disposed of, by placing on record the said instructions furnished by the Sub-Inspector of Police, Mamnoor Police Station, Warangal Police Commissionerate, dated 08.11.2018, with a further direction to the respondent-police authorities to act strictly in accordance with law.

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

A.V.Sesha Sai, J

Date:27.11.2018
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