

HON'BLE SRI JUSTICE A.V.SESHA SAI

W.P.No.43183 of 2018

ORDER:-

When the matter is taken up, the written instructions furnished by the Sub-Inspector of Police, Kodad Town Police Station, dated 29.11.2018, are placed on record by the learned Government Pleader. The said instructions read as under:-

“One Mr.Nagandla Salman Raju, son of Pullaiah, aged 46 years, resident of Nandigama Town of Krishna District of State of A.P., approached the Police of Kodad Town Police Station and lodged a petition on 08.11.2018 at 16.30 hours stating that on 08.11.2018 morning at about 11.30 hours he along with 1) Nagandla Bala Nagamma (65 years), 2) Jeevan Kumar started from Nandigama to proceed Hyderabad by their own Maruti Wagan-R, red coloured vehicle, bearing No.AP-16-CR-6942, on way they reached near Auto Motive Work Shop on bypass road at the outskirts Kodad Town, mean time a driver of Hyundai Creta Car, bearing No.TS-07-UF-4594, drove his car in a rash and negligent manner with high speed from Hyderabad to Vijayawada, lost control on his vehicle and dashed to road dividers and then dashed to his Maruti Car which is proceeding to Hyderabad and as a result of which his car front portion completely damaged and back portion partially damaged, in which Jeevan Kumar (driver) received small injuries and hence requested to take legal action against the said Hyundai Car driver who caused accident, as per law.

Basing on the contents of the above complaint, a case in Cr.No.379/2018 u/s.337 I.P.C., dated 08.11.2018, was registered on the file of Kodad Town Police Station and taken up the investigation into the case.

During the course of investigation, this respondent being the Investigating Officer examined as many as 4 witnesses and recorded their detailed statements.

It came to light in the investigation that the accused who drove the vehicle Hyundai Creta Car is a juvenile. Notice under Section 41-A Cr.P.C. was issued to him.

In the investigation, it is clearly revealed that the accused and the petitioner herein are both the friends. The accused did not say correctly who issued the driving license to run the car. It came to

light in the investigation that the petitioner herein uploaded the licence of car. Hence, the statement of the petitioner is required. To know the facts of the license of the accident car, the investigating agency tried to contact the petitioner for recording the statement of the petitioner. Instead of cooperating with the investigating agency (though he is not shown as accused), the petitioner filed the present Writ Petition with false and frivolous allegations.

I humbly submit that if any information is wanted from the petitioner, certainly the investigating agency by following the due procedure, action will be taken.

I humbly submit that the petitioner is not at all required but some information about the issuance of licence to the accused/juvenile is necessary to proceed with further course of action into the case.

I humbly submit that to diver the attention of the investigating agency in not conducting the investigation into the case in a fair and proper manner, the petitioner filed the present Writ Petition with false and baseless allegations."

Accordingly, the Writ Petition is disposed of, by placing on record the said instructions furnished by the Sub-Inspector of Police, Kodad Town Police Station, dated 29.11.2018.

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

A.V.Sesha Sai, J

Date:20.12.2018  
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