

THE HONOURABLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.44531 of 2017

When the matter is taken up, written instructions, dated 28.12.2017, furnished by the Inspector of Police, Dundigal Police Station, Medchel District, are placed on record. The said instructions read as under:

“On receipt of a private complaint filed by one Sri Y.Ananda Rao (4th respondent herein) from the Hon’ble Court of VI Metropolitan Magistrate at Rachkonda at Medchel, a case in Cr.No.949/2017 U/secs.420, 463, 468, 471 r/w 34 IPC and Sec.156 (3) Cr.P.C., dated 15.11.2017 was registered against the petitioners herein and one Mr.K.V.K.P.Ranga Raju on the file of Dundigal Police Station and taken up the investigation into the case.

The petitioners herein are shown as accused A1 and A2 in the FIR.

The gist of the private complaint of the complainant/4th respondent herein is that the alleged accused/petitioners with a dishonest intention and with ulterior motive to grab the property of the complainant admeasuring Ac.1.02 gts. In Sy.No.260 and Ac.0.28 gts in Sy.No.257 total admeasuring Ac.1.30 gts situated at Bowrampet village, Gandimaisamma Dundigal Mandal, Medchal District and also created fake documents with respect of the said lands and also abused him in filthy language.

During the course of investigation, the investigation officer examined the complainant and recorded his detailed statement.

Notice U/sec.41 (A) (1) (3) Cr.P.C. dated 14.12.2017 was issued to the petitioners/alleged accused

requesting them to appear before the investigating agency along with the relevant documents in support of their version.

Notice U/sec.91/160 Cr.P.C. dated 20.12.2017 was also issued to the complainant requesting him to furnish the original documents relating to the subject property of him and its link documents i.e. GPA, sale deed and other documents. The same is awaited.

It is submitted that the investigation is under process. Necessary steps will be taken against the concerned accused in the FIR depending on the evidence adduced during the course of investigation into the case and an appropriate report will be filed before the concerned Hon'ble Court at the earliest by following the due procedure.

It is pertinent to submit that the petitioners herein are shown as accused A1 and A2 in the above referred case. Investigation is under progress for collection of material evidence to establish the offences. To divert the attention of the investigating agency in not conducting the investigation of the case in a fair and proper manner, the petitioner filed the present writ petition with false and frivolous allegations.

It is submitted that the allegation of the petitioners that the 3rd respondent herein who is incharge of the 2nd respondent police station has called upon the petitioners and watchman of the petitioners through constables recently and threatened the petitioner's watchman to move away from the subject land on 12.12.2017 and asked the petitioners to settle the matter is absolutely false, baseless and hence denied.

It is humbly submitted that except registration of the above complaint that too, after receipt of the same from the Hon'ble Court and proceeding with the investigation into the case as prescribed by law, this respondent never interfered with the civil disputes as alleged. Mere

registration of criminal case and proceeding with the investigation into the case, it does not mean, this respondent police are interfering in civil disputes. I humbly submit that at any point of time, this respondent police asked the petitioners to settle the matter with the unofficial respondents herein”.

In view of the above, the Writ Petition is disposed of, by placing on record the above written instructions.

As a sequel thereto, miscellaneous petitions, if any, shall stand closed. There shall be no order as to costs.

22nd January, 2018.
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A.V.SESHA SAI