

THE HONOURABLE SRI JUSTICE P. KESHA VA RAO

WRIT PETITION No.24549 of 2014

ORDER:

There is no representation on behalf of the petitioner, who is appearing as party-in-person.

2. The prayer sought in the writ petition is as under:-

“...to issue an appropriate Writ, Order, Direction more particularly one the nature of Writ of Mandamus declaring the action of the respondents 2 and 3 herein in not completing the investigation by arresting the accused in pursuance to the registration of crime in FIR No.211/2013 dated 23-12-2013 on the file of Kuknoorpally Police Station, Kuknoorpally, Medak District as illegal, arbitrary, violative of Article 14 of the Constitution of India and contrary to the provisions contemplated under the Code of Criminal Procedure and to pass such other order or orders as this Hon'ble Court deems fit and proper in the circumstances of the case.”

3. The 3rd respondent filed a counter-affidavit. From the perusal of the counter-affidavit, it is evident that the petitioner herein filed a private complaint under Section 200 Cr.P.C. on the file of the Court Judicial Magistrate of First Class, Siddipet, Medak District, against one Vankani @ Manda Venkataiah and twenty two others. In the complaint, he has stated that he filed a civil suit for partition and perpetual injunction against the accused persons. On 07.10.2013 when the petitioner/complainant was in his native village, the accused persons tried to kill him with deadly weapons and also tried to set fire by pouring petrol on him. On receipt of the said private complaint, the Court below forwarded the said complaint to the 3rd respondent for investigation and report. On receipt of the said complaint, a case in Crime No.211 of 2013 for the offences under Sections 307, 511, 107, 120-B, 341, 357, 352, 504 and 506 read with 34 IPC was registered on 23.12.2013 against Vankani @ Manda Venkataiah and twenty two

others on the file of the Kuknoorpally Police Station, Medak District. It is also further mentioned in the counter-affidavit that during the course of investigation it was revealed that the petitioner/complainant and accused families are the partners and they are having land disputes with regard to the partition of lands. In this regard, the petitioner herein filed a suit in O.S.No.163 of 2013 before the learned Principal Junior Civil Judge, Siddipet. In fact, investigation also revealed that the accused persons did not stop and threaten the petitioner/complainant on 07.10.2013. The petitioner, keeping the land disputes and civil cases in mind, intentionally lodged the complaint with false allegations against the accused persons. Therefore, after completion of investigation and after taking permission from the Sub-Divisional Police Officer, Siddipet, vide C.No.198/SD-SDPT/2014, dated 31.05.2014, filed a final report on 02.09.2019 referring the case as 'false' before the learned Judicial First Class Magistrate, Siddipet. Since the petitioner/complainant refused to receive the notice, it was sent through post on 02.09.2019.

5. In that view of the matter, this Court is of the opinion that no there are no merits in the writ petition and the same is liable to be dismissed.

4. Accordingly, the writ petition is dismissed. No order as to costs.

Miscellaneous petitions pending, if any, shall stand dismissed.

P. KESHA VA RAO, J