

**HON'BLE THE CHIEF JUSTICE SRI THOTTATHIL B. RADHAKRISHNAN
AND
HON'BLE SRI JUSTICE A. RAJASHEKER REDDY**

WRIT PETITION No.4929 of 2019

ORDER: *(per the Hon'ble the Chief Justice Sri Thottathil B. Radhakrishnan)*

This Writ Petition is filed alleging that the petitioner's grandson is missing and the police are not taking effective steps to trace him out. It is alleged that the petitioner suspects the involvement of the persons, who are listed as respondents 6 to 8.

2. A counter-affidavit sworn to by Sri P. Ramana Reddy, Inspector of Police, Jeedimetla Police Station, is on record. We have perused it.

3. Going by the facts stated in the writ petition and the counter-affidavit on behalf of the police, it is seen that the police recorded the statement of the writ petitioner on whose complaint the First Information Report was registered as a 'Man Missing' case. The police also recorded the statements of father and uncle of the missing person. It is also stated that the police have questioned respondents 6 to 8.

4. The non-lodgment of any complaint by the father of the missing person is obviously a factor which the investigator would not ignore. Equally, the statement in the counter-affidavit of the

police that the 6th respondent had admittedly met the missing person on the date of his going missing together with the fact that the said respondent is stated to have had in his possession the mobile phone of the missing person which he stated to have given back to the writ petitioner-grandmother is a factor which the police would not ignore. Though we are not suggesting that it could lead to the theory of 'last seen together' being applied, it is too early to indicate a way for the investigator to go, because, there is also the statement of the police that the investigation does not reveal that respondents 6 to 8 were on inimical terms with the missing person.

5. Be that as it may, the totality of the facts and the materials on record tend to indicate that while we have confidence in the investigation that is now being carried forward, we think that it is appropriate that a superior police officer not below the rank of the Assistant Commissioner of Police supervises the investigation by looking into the requisite records. This will make the investigating process more vigorous and well-directed through expertise at a higher level. In the fitness of things, it is appropriate that the Assistant Commissioner of Police, Balanagar, Cyberabad, carries out the supervisory role

over the process of investigation in furtherance of F.I.R.No.455 of 2018 registered on 01.06.2018 in Jeedimetla Police Station.

6. In the result, the Writ Petition is ordered directing that investigation in Crime No.455 of 2018 of Jeedimetla Police Station shall be carried forward under the supervision of the Assistant Commissioner of Police, Balanagar, vigorously and vigilantly to trace out the missing person or to proceed further with due investigation, as enjoined by the laws, in F.I.R.No.455 of 2018. All issues will be left open.

7. In the nature of directions hereinabove, notice to respondents 6 to 8 is dispensed with.

Pending miscellaneous petitions, if any, shall also stand dismissed. There shall be no order as to costs.

THOTTATHIL B. RADHAKRISHNAN, CJ

Date: 20.03.2019

A. RAJASHEKER REDDY, J

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