

THE HON'BLE SRI JUSTICE T.VINOD KUMAR

WRIT PETITION No.20483 of 2019

ORDER:

The present writ petition is filed to declare the inaction of the third respondent in investigating into FIR No.112 of 2019 dated 06.06.2019 and taking any steps to arrest the accused, as being illegal and arbitrary.

2. Despite the matter being adjourned thrice on 21.10.2019, 04.12.2019 and on 11.12.2019, there was no representation on behalf of the petitioner and the matter was accordingly directed to be listed under the caption 'for dismissal'. Even today, though the matter appears under the said caption, there is no representation for the petitioner. Heard learned Assistant Government Pleader for Home.

3. Learned Assistant Government Pleader for Home, on written instructions, dated 19.09.2019, submits that based on the complaint of the petitioner, dated 06.06.2019, a case was registered in Crime No.112 of 2019 for the offence under Section 420 IPC on the file of Mahabubnagar II Town Police Station, on 06.06.2019, and during the course of investigation, L.Ws.1 to 4 were examined and recorded their statements. Learned AGP further submits that the evidence collected during the course of investigation discloses that the alleged offence complained by the petitioner has not been established and the authority after obtaining permission from the Sub-Divisional Police Officer, Mahabubnagar, referred the case as 'civil in nature' and after serving a notice on the complainant on 08.06.2019, filed the final report before the Judicial Magistrate of First Class, Mahabubnagar, on 30.06.2019. Copies of final report and the notice, which is duly acknowledged by the petitioner,

are placed on record, along with the copy of the written instructions, dated 19.09.2019.

4. Having regard to the submissions made by the learned Assistant Government Pleader and on perusal of the documents placed on record, inasmuch as the final report has already been filed before the concerned Court, this Court is of the opinion that no further adjudication is warranted in this matter and it is open for the petitioner to approach the concerned Court in accordance with law.

5. The writ petition is accordingly closed. Pending miscellaneous petitions, if any, shall also stand closed. No order as to costs.

Date:18.12.2019

GJ

JUSTICE T.VINOD KUMAR

