

HONOURABLE SRI JUSTICE P. KESHA RAO

WRIT PETITION No.27261 of 2014

ORDER:

There is no representation on behalf of the petitioners.

The prayer sought in the writ petition is as under:

“... to issue a writ, order or direction in the nature of Mandamus or otherwise declaring the action of respondents in not registering FIR against the party respondents and their henchmen for threatening, causing physical assault, and dispossessing the petitioners of their properties in pursuance of the complaint filed by the petitioners before the Court of the VI Additional Judicial First Class Magistrate, Warangal, registered as CC.No.458 of 2013 as arbitrary, illegal, discriminatory violating Article 14, 16 and 21 of the Constitution of India and issue consequential directions, directing the respondents to forthwith register a FIR and initiate criminal proceedings including arresting the party respondents or any others for interfering with personal liberty, life and property of the petitioners in pursuance of the complaint filed by the petitioners before the Court of the VI Additional Judicial First Class Magistrate, Warangal registered as CC.No.458 of 2013 and issue further directions restraining the party respondents and their henchmen from interfering and dispossessing the petitioners from their properties including personal life and liberty, duly directing the respondents to give protection to the petitioners and family members till disposal of the IP.No.30 of 2013 on the file of the Principal Senior Civil Judge, Warangal, in pursuance to the complaint CC.No.458 of 2013 filed before the VI Additional Judicial First Class Magistrate, Warangal, in protecting the fundamental rights of the petitioners.”

Learned Government Pleader appearing for respondent Nos.1 to 5 placed on record the Xerox copy of written instructions dated 19.09.2014 issued by the Sub-Inspector of Police, Matwada Police Station, Warangal District.

From a perusal of the said written instructions, it is revealed that the petitioners filed a private complaint under Section 200 Cr.P.C., on the file of the learned VI Additional Judicial First Class Magistrate, Warangal, against respondent Nos.6 to 10 herein. Upon receipt of the said complaint, it was

referred to the respondent police under Section 156 (3) Cr.P.C., for investigation. Pursuant thereto, a case in Crime No.458 of 2013 was registered for the offences under Sections 406, 415, 417, 420, 468, 506 read with Section 34 IPC on 21.12.2013 against respondent Nos.6 to 10 on the file of the Matwada Police Station, Warangal District and investigation was taken up by the Sub-Inspector of Police. It is further mentioned in the written instructions that during the course of investigation, as many as eight witnesses were examined and recorded their detailed statements. The witnesses did not support the version of the complainants. It is also mentioned that the petitioners deceived and cheated gullible people by receiving huge amounts to the tune of Rs.5 crores and also filed I.P.No.30 of 2013 before the learned Principal Senior Civil Judge, Warangal, to escape from repayment of the said amount. Based on the evidence collected during the course of investigation, it was revealed that the complainants/petitioners filed a false complaint against the accused persons. After obtaining permission from the Sub-Divisional Police Officer, Warangal vide C.No.27/SDPO/WRL/2014 dated 28.02.2014 a detailed investigation was conducted and a final report was filed referring it as 'false' before the concerned Court.

If the petitioners are aggrieved by the final report filed before the concerned Court, it is open for them to pursue their remedies available to them as per law. Therefore, this

Court is of the opinion that there are no merits in the writ petition and the same is liable to be dismissed.

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

Miscellaneous petitions, if any, shall also stand dismissed.

P. KESHAVA RAO, J

Date: 15.10.2019.
ES

