

THE HONOURABLE SRI JUSTICE T.VINOD KUMAR

WRIT PETITION NO.25700 OF 2019

ORDER:

The present Writ Petition is filed questioning the inaction of the third respondent in taking action in any manner against respondents 4 and 5 and not conducting effective investigation in FIR.No.55 of 2019 dated 19.04.2019 and with a consequential direction to the third respondent to register the case under correct provisions of law and take serious action against the respondents 4 and 5 and conduct investigation in FIR.No.55 of 2019 dated 19.04.2019 properly.

Heard the learned counsel for the petitioners and the learned Assistant Government Pleader for Home for the respondents.

Learned Assistant Government Pleader for Home, on instructions dated 22.11.2019, submits that based on the complaint recorded on 19.04.2019 with regard to the incident that had taken place on 12.04.2019 at 8 a.m., a case was registered in Crime No.55 of 2019 on 19.04.2019 under Sections 324 and 504 read with Section 34 of the Indian Penal Code on the file of Utkoor Police Station. It is submitted by the learned Assistant Government Pleader that during the course of investigation, L.Ws.1 to 5 were examined and their statements were recorded and notices were issued to the accused persons under Section 41-A of the Code of Criminal Procedure on 23.04.2019. It is also submitted by the learned Assistant Government Pleader that investigation is completed and charge sheet was also filed before the Judicial Magistrate of First Class, Narayanpet, on 20.05.2019 and the case was numbered as C.C.No.435 of 2019, and is posted

to 30.12.2019 for appearance of the accused. Basing on the above said facts, the learned Assistant Government Pleader submits that the respondent-authorities have investigated into the matter in the most expeditious manner and the same cannot be found fault with.

However, the learned counsel for the petitioners submits that the correct provision of law has not been invoked and applied against the accused with regard to the injuries sustained by the complainant.

Having regard to the fact that the police authorities have already completed investigation, filed charge sheet and a C.C. is already registered before the Judicial Magistrate of First Class, Narayanpet, this Court is of the view that no further orders be passed in the matter. However, if the petitioners are aggrieved by the charges with which the accused have been charged with in the above C.C., it is open to the petitioners to approach the Court concerned to avail remedies in accordance with law.

Accordingly, the Writ Petition is disposed of.

There shall be no order as to costs.

Miscellaneous applications, if any, pending shall stand closed.

(T.VINOD KUMAR, J)

5th December 2019
RRB