



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)**

[3368]

**TUESDAY, THE TENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX**

PRESENT

THE HONOURABLE SRI JUSTICE B V L N CHAKRAVARTHI

WRIT PETITION NO: 7371/2019

Between:

1.KAKOLLU NARESH KUMAR, S/O. NAGESWARARAO, 31
YEARS, R/O. D.NO.8-12-19, BUCHIREDDYPALEM, BOMBAY
ROAD, SPSR NELLORE DISTRICT.

...PETITIONER

AND

1.THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL
SECRETARY, HOME DEPARTMENT, SECRETARIAT
BUILDINGS, VELAGAPUDI, AMARAVATI, GUNTUR
DISTRICT.

2.SUPERINTENDENT OF POLICE, NELLORE NELLORE
DISTRICT.

3.THE STATION HOUSE OFFICER, IV TOWN POLICE STATION,
NELLORE, SPSR NELLORE DIST.

...RESPONDENT(S):

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue an appropriate writ, order or direction, more in the nature of Mandamus, declaring the inaction of respondents more particularly that of 3rd respondent in not conducting investigation into Cr.No. 314/2017 for an offence punishable U/s. 406,420 of IPC on his file against the accused in Cr.No.314/2017 and even after bringing to his notice about the continuation of the offence for their

illegal enrichment by encashing the Fixed deposits as long back as on 19.9.2018, even after lapse of almost 2 years as being Illegal, Arbitrary, Un-Constitutional against the letter and Spirit of Guarantees under Constitution, violative of Articles 14 and 21 of Constitution of India apart from violative of Principles of natural Justice and Fair Play, and consequently direct the 3rd respondent to conduct the investigation, recover the gold and other documents mentioned in the complaint pertaining to petitioner and to file the charge sheet in the aforesaid FIR forthwith

IA NO: 1 OF 2019

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the 3rd respondent to forthwith complete the investigation, recover the gold and other documents mentioned in the complaint and file charge sheet in Cr.No.314/2017 for an offence punishable U/s. 406 and 420 of IPC against the accused in Cr.No.314/2017, pending disposal of the above WP

Counsel for the Petitioner:

1.J U M V PRASAD

Counsel for the Respondent(S):

1.GP FOR HOME (AP)

The Court made the following:

THE HONOURABLE SRI JUSTICE B.V.L.N.CHAKRAVARTHI

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ORDER:

This Writ Petition is filed under Article 226 of the Constitution of India for the following relief:

“....to issue, an appropriate writ, order or direction, more in the nature of Mandamus, declaring the inaction of respondents more particularly that of 3rd respondent in not conducting investigation into Cr.No.314/2017 for an offence punishable U/s. 406, 420 of IPC on his file against the accused in Cr.No.314/2017 and even after bringing to his notice about the continuation of the offence for their illegal enrichment by encashing the Fixed deposits as long back as on 19.9.2018, even after lapse of almost 2 years as being Illegal, Arbitrary, Un-Constitutional against the letter and Spirit of Guarantees under Constitution, violative of Articles 14 and 21 of Constitution of India apart from violative of Principles of natural Justice and Fair Play, and consequently direct the 3rd respondent to conduct the investigation, recover the gold and other documents mentioned in the complaint pertaining to petitioner and to file the charge sheet in the aforesaid FIR forthwith and pass...”

2. Heard learned counsel representing Sri J.U.M.V.Prasad, learned counsel for the writ petitioner and Sri R.Mallikarjuna Rao, learned Assistant Government Pleader for Home.

3. In the light of the submissions made by the learned Assistant Government Pleader on the earlier occasion that police filed a report before the Magistrate referring the case as false vide R.C.No.1547/2025 and that notice was issued to the defacto complainant on 20.01.2026 and served the notice to the complainant on 02.02.2026, and that the R.C. was posted to 06.02.2026 for intimating the Court about service of notice, this Court is of the considered opinion that no further orders are required in the writ petition. The writ petitioner is at liberty to approach the concerned

Magistrate for filing the objections, in accordance with law, to the final report filed by the police.

4. With the above observation, the Writ Petition is closed without going into merits of the case. There shall be no order as to costs.

As a sequel thereto, interlocutory applications, if any, pending in this Writ Petition shall stand closed.

JUSTICE B.V.L.N. CHAKRAVARTHI

10.02.2026
Dmr

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THE HONOURABLE SRI JUSTICE B.V.L.N. CHAKRAVARTHI

WRIT PETITION No:7371 OF 2019

Date: 10.02.2026

Dmr