

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH**

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WRIT PETITION No.25293 OF 2011

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Between:

D. Dayanand

.. Petitioner

And

The State of A.P.

Rep. by the Principal Secretary, Home, and others.

.. Respondents

DATE OF JUDGMENT PRONOUNCED: 12-08-2015

SUBMITTED FOR APPROVAL:

THE HON'BLE SRI JUSTICE SANJAY KUMAR

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|---|--------|
| 1. Whether Reporters of Local newspapers
may be allowed to see the Judgment? | Yes/No |
| 2. Whether the copies of judgment may be
marked to Law Reporters/Journals | Yes/No |
| 3. Whether Their Lordship wish to
see the fair copy of the Judgment? | Yes/No |

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.25293 of 2011

ORDER:

The grievance of the petitioner in this case was that the police

authorities were not taking suitable steps in relation to Crime Nos.164 of 2011 and 289 of 2011 on the file of Balanagar Police Station, Cyberabad.

Relying on the written instructions dated 07.08.2015 furnished by the Sub-Inspector of Police, Balanagar Police Station, the learned Assistant Government Pleader for Home informed this Court that upon the petitioner's complaint dated 19.04.2011, Crime No.164 of 2011 was registered under Section 3(iv)(x)(xv) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, on the file of Balanagar Police Station against respondents 4 to 6. After completion of the investigation, the police authorities filed a final report under Section 173 Cr.P.C. before the learned IX Metropolitan Magistrate, Cyberabad, at Kukatpally, vide Inward No.9203/2012 dated 15.09.2012, referring the complaint for lack of evidence.

Further, upon the petitioner's complaint dated 11.07.2011 lodged with the Balanagar Police Station, Crime No.289 of 2011 was registered under Section 3(iv) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, against the unofficial respondents herein. Upon investigation, the police found that a *prima facie* case was made out against the accused and they accordingly laid a charge sheet before the learned IX Metropolitan Magistrate, Cyberabad, at Kukatpally, and the same was thereafter transferred to the learned Special Judge for Trial of Cases Under Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, at L.B. Nagar, where it was taken on file as Sessions Case No.62 of 2014. This case is stated to be pending trial.

In the light of the afore-stated developments, the grievance of the petitioner as regards the alleged inaction on the part of the police authorities in relation to the two crimes stands redressed. In the event the petitioner is not satisfied with the final report filed by the police authorities insofar as Crime No.164 of 2011 on the file of Balanagar Police Station is concerned, it is for him to take recourse to appropriate

measures in accordance with law.

Reserving liberty to the petitioner to do so, the writ petition is closed.

Pending miscellaneous petitions, if any, shall also stand closed. No order as to costs.

JUSTICE SANJAY KUMAR

12th August, 2015

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