

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.26202 OF 2012

—
DATED: 02.07.2015
-
-

Between:

Smt. Shaik Hafeeza Begum

.. Petitioner

And

The Sub-Inspector of Police,
Tirumalayapalem Police Station,
Khammam District, and others.

.. Respondents

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.26202 of 2012

ORDER:

—
The grievance of the petitioner was that the police authorities were not taking steps to register a case against the 4th respondent on the complaint given by her and on the other hand were pressurizing her to sell her land to the 4th respondent.

The Sub-Inspector of Police, Tirumalayapalem Police Station, Khammam District, filed a counter-affidavit stating that upon the petitioner's complaint, Crime No.76 of 2012 was registered under Sections 294(b), 341 and 506 I.P.C. read with Section 34 I.P.C. on the file of Tirumalayapalem Police Station. The 4th respondent herein was shown as A2 therein. After due investigation, the police authorities found that a prima facie case was made out only against A1, A4 and A6 and they were accordingly arrested and remanded to judicial custody. As no evidence was forthcoming against the 4th respondent herein, who was arrayed as A2, his name was deleted after obtaining

proper permission from the

Sub-Divisional Police Officer, Khammam. Upon completion of the investigation, a charge sheet was laid before the learned Judicial Magistrate of First Class (Special Mobile), Khammam, against A1, A4 and A6. The Sub-Inspector further stated that the petitioner herself was an accused in Crime No.76 of 2011 which was registered under Sections 406 and 498-A I.P.C. on the file of the Women Police Station, Khammam, at the behest of her daughter-in-law. The said case was stated to be pending trial before the learned I Additional Judicial Magistrate of First Class, Khammam.

No reply-affidavit was filed to the afore-stated counter though it dates back to September, 2012.

In the light of the afore-stated facts, it is clear that the petitioner's complaint as to the alleged inaction on the part of the police upon her complaint is without basis. In the event she is aggrieved by the conclusion arrived at by the police insofar as the 4th respondent is concerned, it is for her to take appropriate action in accordance with law. Further, as the case has already reached the competent criminal court, there is no question of the police authorities interfering in any civil disputes between the petitioner and the 4th respondent.

Making the afore-stated position clear, the writ petition is closed.

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

JUSTICE SANJAY KUMAR

2nd July, 2015
IBL