

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD

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For the State of Telangana and the State of Andhra Pradesh

MAIN CASE NO: W.P.No.22407 OF 2015

Between:

Gundla Yesu

.. Petitioner (s)

And

The State of Telangana and others

.. Respondent(s)

DATE OF JUDGMENT PRONOUNCED: 06.08.2015

SUBMITTED FOR APPROVAL:

THE HON'BLE SRI JUSTICE A.V.SESHA SAI

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

THE HON'BLE SRI JUSTICE A.V.SESHA SAI

W.P.NO.22407 OF 2015

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ORDER:

This writ petition is filed under Article 226 of the Constitution of India for the following relief:

“to issue a Writ, Order or direction more particularly one in the nature of Writ of Mandamus, declaring the action of respondents 1 to 5 in not taking action against the 6th respondent is highly illegal, improper, arbitrary and unconstitutional and against the principles of natural justice, consequently direct the 4th respondent to alter the Section of law from 174 to 302 IPC forthwith.”

Heard Sri V.Krishna Swaroop, learned counsel for petitioner and learned Government Pleader for Home for respondents 1 to 5.

When the matter is called, Learned Government Pleader for Home has placed on record the written instructions dated 30.07.2015 furnished by the Sub-Inspector of Police, Chinthakanti Police Station, Khammam District and the said instructions reads as under:

“On a complaint lodged by the petitioner herein with the Police of Chinthakani Police Station, Khammam District, a case in Crime No.53 of 2015 under Section 174 Cr.P.C (suspicious death) was registered on 14.03.2015 and taken up the investigation.

The sum and substance of the complaint of the petitioner-complainant is that on 14.03.2015 morning at 8.00 a.m while his younger daughter was suffering from abscess on her left leg, they took her to RMP Doctor Prasad Hospital in Nagulavancha Village. Then doctors gave two injections, later she died at about 8.30 night. He had suspicious on her death.

It is submitted that during the course of investigation, the investigation officer examined the complainant-petitioner and some other witnesses and recorded their detailed statements.

Medical Reports from the doctors are awaited. As soon as the medical reports are received, further course of action will be taken in this matter including alteration of Section of law if any.

I humbly submit that impartial investigation is going on in all angles. If any clues are forthcoming about the involvement of the 6th respondent (suspected person), certainly action will be taken against him by following the due procedure.

I humbly submit that I pray this Hon'ble Court to grant some more time to the investigating agency to complete the full-fledged investigation in to the case. Having grudge against the 6th respondent, the petitioner leveled baseless allegations in the affidavit."

On noticing the above said instructions, learned counsel for the petitioner requested this Court to dispose of the writ petition recording the said written instructions.

In view of the above, the writ petition is disposed of recording the written instructions dated 30.07.2015 furnished by the Sub-Inspector of Police, Chinthakanti Police Station, Khammam District. There shall be no order as to costs.

Pending miscellaneous petitions in this writ petition, if any, shall stand dismissed in consequence.

A.V.SESHA SAI, J

06.08.2015
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HON'BLE SRI JUSTICE A.V.SESHA SAI

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