

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

WRIT PETITION No.27470 OF 2015

ORDER:

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

“to issue a Writ or order or direction, more particularly one in the nature of Writ of Mandamus, declaring the action of the respondents No: 3 to 5 in frequently calling the petitioner to the police stations and threatening to pay the amounts to the 6th respondent as illegal, arbitrary, violative of Article 21 of the Constitution of India and violation of principles of natural justice and consequently direct the respondents not to interfere with day to day peaceful life and liberty of the petitioner and her family members in the interest of justice and pass”

2. When the matter is called today, written instructions dated 07.09.2015, furnished by the Sub-Inspector of Police, Bibinagar Police Station, Nalgonda District, have been placed on record by the learned Government Pleader for Home and the said instructions read as under:

“It is respectfully submitted that as per the records, it is revealed that earlier on the complaints of the wife of the petitioner herein Smt.Manthri Bhagya Latha, cases in Cr.No.27/2001, U/secs.498-A IPC (ended in acquittal vide CC No.215 of 2001) and Cr.No.5/2005 U/secs.498-A, 494, 109 IPC (ended in acquittal vide CC No.258 of 2005) were registered on the file of Bibinagar Police Station of Nalgonda District against the petitioner herein and thereafter, till date, no fresh complaint or case whatsoever was received or registered against the petitioner herein on the file of Bibinagar Police Station, Nalgonda District.

It is submitted that the allegation of the petitioner that the 6th respondent herein loaded so many cases against him and all the cases are dismissed due to failure of all her efforts she approached before the local political leaders and demanding amounts along with their henchmen and they have started harassing the

petitioner and also threatening him over phone frequently and the same was reported to the 5th respondent but no action was taken against the said persons is false and hence denied. The allegation of the petitioner that police threatened him saying that he would be put behind the bars if he does not settle the issue with the 6th respondent is also false, baseless and hence denied. The allegation of the petitioner that due to influence of political persons the 3rd and 4th respondents herein to settle the issue by threatening him one way or the other for which the police people has been harassing him by calling frequently to the police station and threatening is utterly false and hence denied.

It is submitted that the allegation of the petitioner that the 5th respondent called him to the police station on 15.6.2015 and gave warning to him to settle the matter with the 6th respondent and again on 8.8.2015 and the 3rd respondent kept him in the police station upto 10 p.m again on 17.8.20015 called him to the police station and his family members colluded with the 6th respondent for demanding of huge amount with an intention to harassing him and his family members in respect of family dispute with the 6th respondent and inspite of the same the respondents 3 and 4 have been interfering in his day to day peaceful life by involving is also utterly false, baseless and hence denied.

It is pertinent to submit except the earlier cases, no fresh complaint or case whatsoever was registered against the petitioner herein on the file of Bibinagar Police Station. At no point of time, under the influence of the 6th respondent herein, summoned the petitioner nor made him to sit in the police station as alleged. On mere apprehension in the event of lodging of any fresh complaint by his wife-6th respondent herein, the petitioner herein rushed to this Hon'ble Court with an intention to prevent the police from taking any action. It is humbly submitted that the petitioner is not at all required in any of the cases registered on the file of Bibinagar Police Station.

All the allegations made by the petitioner herein in the affidavit are false, exaggerated, concocted and

invented for the purpose of filing the present writ petition and hence the same are totally denied. It appears that having bore grudge against his wife-6th respondent, the petitioner made baseless allegations against the respondent police and hence no credence can be given to it."

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

4. In view of the above, writ petition stands disposed of, by recording the written instructions dated 07.09.2015, furnished by the Sub-Inspector of Police, Bibinagar Police Station, Nalgonda District.

5. Miscellaneous petitions pending consideration, if any, in the Writ Petition shall stand closed in consequence. No order as to costs.

A.V.SESHA SAI, J

08th September, 2015
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