

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

WRIT PETITION No.27175 of 2015

ORDER:

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

"to issue writ of Mandamus to declare the action of the respondent no.3 in not taking any action even though a FIR.No.170 of 2015 was registered on 5-5-2015, showing the respondent no.4 as accused, is nothing but arbitrary, illegal, null and void and violative of principles of natural justice and also violative of articles 14, 19 and 21 of the Constitution of India. Consequently, direct the respondents no. 2 and 3 to take appropriate action against the respondent no.4 basing on the F.I.R.No.170 of 2015, dated 5-5-2015, and provide protection to the life of the petitioner."

Heard Sri K. Venumadhav, learned counsel for the petitioner and learned Government Pleader for Home for respondents, apart from perusing the material available before this Court.

Today, when the matter is called, written instructions, dated 31-08-2015 furnished by the Station House Officer, Karimnagar I Town Police Station, Karimnagar 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, on 05.05.2015 this respondent received a Telugu written complaint from the petitioner against the 4th respondent stating that her elder son Sandeep was married with the 4th respondent, since one year the disputes raised between the petitioner son and her daughter-in-law i.e. 4th respondent herein, as such, the petitioner's son filed a divorce case in Family Court Secunderabad against the 4th respondent, keeping in the mind, the 4th respondent used to quarrel with the petitioner and her family members frequently. On 5-5-2015 at about 8.00 AM while the petitioner was cooking in kitchen the 4th respondent demanded the petitioner to pay a sum of rupees 2 Crores 50 Lakhs otherwise she will kill the petitioner and by beating the petitioner locked her in house. Even though the petitioner requested the 4th respondent did not open the door, with great difficulty at about 4.00 PM the petitioner's tenants and neighbours came and opened the lock. Therefore, the petitioner requested to take necessary action against

the 4th respondent.

Basing on the complaint, this respondent registered a case in Cr.No.170/2015 U/s.342, 323, 506 IPC dated 05.05.2015 and took up the investigation. During the course of investigation, this respondent examined the complainant and witnesses and recorded their statements. The Police issued a notice U/S.41-A Cr.P.C to the 4th respondent requesting her to appear before the Investigation Officer. During the course of investigation, it is revealed that prima facie case is established against her.

After completion of the investigation the 3rd respondent filed the charge sheet U/s.173 of Cr.P.C. before the Hon'ble Additional Judicial First Class Magistrate at Karimnagar on 27 05 2015, the Hon'ble Court has taken cognizance and it is numbered as C.C.No.865 of 2015 and the case is adjourned to 04.11.2015 for trial.

The petitioner alleged that this respondent after registering the FIR on 05.05 2015, but so far no action was taken against the accused/4th respondent, is denied, because, after conducting proper and thorough investigation, and after taking all possible steps in accordance with law, this respondent filed the charge sheet."

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

In view of the above, the writ petition stands disposed of, by recording the written instructions, dated 31-08-2015 furnished by the Station House Officer, Karimnagar I Town Police Station, Karimnagar.

Miscellaneous Petitions pending, if any, shall stand closed.
There shall be no order as to costs.

A.V. SESA SAI, J

September 02, 2015

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