

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

* * * *

WRIT PETITION No.2717 OF 2011

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Between:

Busanaboina Kanakaiah

.. Petitioner

And

State of Andhra Pradesh
Rep. by its Principal Secretary, Department of Home,
Hyderabad, and others.

.. Respondents

DATE OF JUDGMENT PRONOUNCED: 07-08-2015

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.2717 of 2011

ORDER:

The grievance of the petitioner herein was that the police

authorities were harassing him and his family members but not investigating the case against the real culprits. He therefore sought a consequential direction to handover the investigation to the CBCID or any other independent agency.

The case in question was as to the petitioner's daughter going missing along with her son.

The Inspector of Police, II Town Police Station, Karimnagar, filed a counter-affidavit stating that the husband of the petitioner's daughter who went missing filed W.P.No.19124 of 2010 seeking a writ of Habeas Corpus. However, the same was dismissed taking note of the fact that there were disputes between the husband and wife and the police had already registered Crime No.297 of 2009 on the file of II Town Police Station, Karimnagar, as regards the woman going missing. The Division Bench therefore directed the police authorities to complete the investigation with all seriousness and file a report before the concerned Magistrate within a timeframe. It appears that Crime No.297 of 2009 was registered upon the complaint made by the 7th respondent, the husband of the petitioner's daughter. The petitioner's daughter is stated to have left her son in front of the house of her husband, the 7th respondent, on 10.07.2011 but, her whereabouts remained untraceable. Though the father, the petitioner herein, and the husband, the 7th respondent herein, doubted each other's complicity in the matter, the police were unable to find out anything incriminating against either of them. The various steps taken by the police were set out at great length in the counter-affidavit and it was finally stated that the police authorities closed the case as 'undetectable' on 04.08.2015 by filing a final report vide Inward No.235 of 2015 before the learned Additional Judicial Magistrate of First Class, Karimnagar. The Inspector of Police further stated that in the event the petitioner's daughter was traced out, the case would be reopened and appropriate action would be taken as per law.

In the light of the afore-stated facts, it is for the petitioner to take appropriate measures in accordance with law if he is aggrieved by the final conclusion arrived at by the police authorities.

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

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

JUSTICE SANJAY KUMAR

7th August, 2015

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