

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

THURSDAY THE TWENTYSEVENTH DAY OF AUGUST
TWO THOUSAND AND FIFTEEN

PRESENT
HONOURABLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION NO. 25617 OF 2015

Between:

Chirithoti Brahmaiah ... Petitioner

V/s.

The State of Andhra Pradesh
Rep.by its Prl. Secretary,
Home Department,
Secretariat Buildings,
Hyderabad & Ors. ... Respondents

Counsel for the Petitioner: Sri C.Subodh

Counsel for the Respondents: GP for Home [AP]

The Court made the following: [order follows]

HONOURABLE SRI JUSTICE A.V. SETHA SAI

WRIT PETITION NO. 25617 OF 2015

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

“To declare the action of the respondents 2 and 3 in pressurizing the petitioner to withdraw OP.No.57 of 2015 on the file of Senior Civil Judge, Kandukur filed for dissolution of the marriage of the petitioner with the fourth respondent as illegal, arbitrary and consequently to direct the respondents not to pressurize the petitioner for withdrawing OP.No.57 of 2015 on the file of Senior Civil Judge, Kandukur and to pass such other suitable orders as this court may deems fit and proper in the circumstances of the case.”

2. When the matter is called, written instructions dated 20/8/2015 furnished by the Station House Officer, Women Police Station, SPSR Nellore district have been placed by the learned Government Pleader for Home [AP].

3. The written instruction, read as under:

“ It is respectfully submitted that one Chiritoti Venkata Ramanamma fourth respondent herein lodged her complaint against Chiritoti Brahmaiah the petitioner herein (the husband of R4) stating that after her marriage he used to harass her demanding additional dowry and his mother, brother and sister harass her physically and mentally, hence requested to take necessary action.

Basing on the complaint, a case in Cr.No.51/2015 under section 498-A, 35 of IPC and

section 3 and 4 of Dowry Prohibition Act of Women Police Station on 01/08/2015 and the investigation officer took up the investigation. During the course of investigation, the respondent police visited the scene of offence and examined two witnesses and recorded their statements and some more witnesses have to be examined. It is further submitted that the accused were absconded and filed this writ petition. Now the respondent police taking steps to trace out the above said accused for serving 41-A Cr.P.C. notice and the investigation is under process.

It is further submitted that the respondent police never pressurizing the petitioner to withdraw OP.No.57 of 2015 on the file of Senior Civil Judge, Kandkur filed for dissolution of marriage of the petitioner with the fourth respondent, hence the allegations made against the respondent police are false and baseless and denied”.

4. On noticing the same, the learned counsel for the petitioners has requested this court to dispose of the writ petition by recording the said written instruction.

5. In view of the above, the writ petition is disposed of by recording the reasons mentioned in the written instruction, dated 20/8/2015.

6. As a sequel, miscellaneous petitions if any, pending in this writ petition shall stand closed.

JUSTICE A.V.SESHA SAI

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Court Master: I s L