

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA & THE STATE OF ANDHRA PRADESH
(Special Original Jurisdiction)

TUESDAY, THE TWENTY FOURTH DAY OF MARCH
TWO THOUSAND AND FIFTEEN

PRESENT

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

WRIT PETITION No.6839 of 2015

BETWEEN

Kanya Murali and another.

... PETITIONERS

AND

The State of Telangana, Rep. by its Principal Secretary, Home Department,
Secretariat Buildings, Hyderabad and others.

...RESPONDENTS

Counsel for the Petitioners: MR. KARUNAKAR REDDU

Counsel for the Respondents: GP FOR HOME

The Court made the following:

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ORDER:

Petitioners herein allege that the third respondent is interfering with
their day-to-day business and summoning them to the police station without

there being any cause and concerns and is threatening them.

2. The affidavit of the petitioners states that with regard to suspicious death of their daughter a case in Cr.No.174 of 2014 is already registered and investigation is pending. While so, to pressurize the petitioners to withdraw the said case against their son-in-law, they are stated to have been implicated in another case and the police are harassing them.

3. Learned Assistant Government Pleader has received instructions, which show that Cr.No.174 of 2014 is already under investigation with the third respondent and appropriate steps are already taken and the section was altered from Section 174 of the Criminal Procedure Code to Section 304-B of the Indian Penal Code and the Sub-Divisional Police Officer, Medak has taken up further investigation of the case and is at the stage of receiving report from the Forensic Laboratory. While so, a complaint was received against the petitioners based on which Cr.No.41 of 2015 was registered by the third respondent on 25.02.2015 and the petitioners herein are shown as accused. The said complainant and other witnesses were examined by the third respondent and after finding, *prima facie*, case, it is stated that the presence of the petitioners is required for further investigation. It is further stated that the third respondent would take appropriate steps following due procedure.

4. At this stage, the petitioners had approached this Court by the present writ petition without disclosing that Cr.No.41 of 2015 is pending against them.

5. Learned counsel for the petitioners states that the petitioners have already obtained bail in Cr.No.41 of 2015.

6. Since the petitioners are accused in Cr.No.41 of 2015, they have to appear before the investigating officer and record their statement. The registration of crime against the petitioners and its investigation, being borne

out by the record, it cannot be said the police are unnecessarily calling the petitioners to the police station and interfering with the day-to-day activities, as the third respondent is only concerned with the investigation of Cr.No.41 of 2015 and taking appropriate steps in accordance with law by following due procedure. Petitioners are, therefore, at liberty to approach the investigating officer and record their statement in the said crime.

The writ petition is disposed of. As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

VILAS V. AFZULPURKAR, J

March 24, 2015
DSK