

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

MONDAY THE TWENTYTHIRD DAY OF NOVEMBER  
TWO THOUSAND AND FIFTEEN

PRESENT  
HONOURABLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION NO. 13608 OF 2012

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Between:

M. Anitha Rani ... Petitioner

Vs.

The Asst.Commissioner of Police,  
Abids Division,  
Hyderabad & Ors. ... Respondents

Counsel for the Petitioner: Sri S.Sreenivasa Sarma

Counsel for the Respondents: GP for Home

The Court made the following: [order follows]

HONOURABLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION NO. 13608 OF 2012

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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 inaction of Respondents 1 and 2 in taking stern action against the third respondent in apprehending the third respondent as well as investigating the matter effectively to declare the same as illegal, arbitrary, violation of provisions of POA Act as well as violation of Article 14, 16 and 21 of the Constitution of India 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 09/11/2015 furnished by

the Sub-Inspector of Police, Abids Road Police Station, Hyderabad city have been placed on record by the learned Government Pleader for Home.

3. The said instructions reads as under :

It is respectfully submitted that as per records, the facts of the case are as follows:

On a complaint lodged by the petitioner herein with the police of Abid Road Police Station, a case in Cr.No.136/2012 Under section 354, 323 and section 3 (i) (x) of SC/ST [POA] Act, 1989 was registered on 15/4/2012 and as per the instructions of the then Commissioner of Police, Hyderabad city, the Asst.Commissioner of Police, Abids Division has taken up the investigation.

The records revealed that the investigation officer examined the complainant-petitioner and other witnesses and recorded their detailed statements.

As per the evidence, prima facie case is made out against the third respondent-accused that he had committed the offences mentioned in the FIR. Basing on the evidence, the third respondent was arrested on 7/6/2012 later remanded him to judicial custody.

After completion of investigation, appropriate charge sheet was also filed before the Hon'ble Court of II-Addl.Chief Metropolitan Magistrate, Hyderabad and the same was assigned as PRC.No. 15/2012 and later committed to Sessions vide SC.No.27/2015. Now the accused-third respondent herein is facing trial in the said case.

It is pertinent to submit that almost all the averments made in the affidavit filed in support of the writ petition are subject matter of investigation in Cr.No. 336/2012 for which a detailed investigation was conducted, completed and appropriate charge sheet was also filed before the concerned Hon'ble court and the accused is facing trial in SC.No.27/2015.

4. On noticing the said written instructions, it is submitted by the learned

counsel for the petitioner that the writ petition can be disposed of by recording the said written instructions.

5. In view of the above, the writ petition stands disposed of by recording the written instructions dated 09/11/2015 furnished by the Sub-Inspector of Police, Abids Road Police Station, Hyderabad city. No costs.

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

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JUSTICE A.V.SESHA SAI

23/11/2015

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HONOURABLE SRI JUSTICE A.V. SETHA SAI

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Date: 23/11/2015

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Court Master: I s L