

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION Nos. 5311 and 5312 of 2011

Date: 03.06.2015

WRIT PETITION No. 5311 of 2011

Between:

P. Ravindranatha Reddy,
Kadapa and three others

.... Petitioners

And

The Station House Officer,
I Town Police Station, Kadapa,
Y.S.R District and another.

... Respondents

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION Nos. 5311 and 5312 of 2011

COMMON ORDER:

The petitioners in W.P.No.5311 of 2011 were arrayed as the accused in F.I.R.No.37 of 2011 on the file of the I Town Police Station, Kadapa, Y.S.R District, which was registered under Sections 143, 323, 341, 363 and 506 I.P.C. This F.I.R was registered on the basis of the complaint made by one Gagguturu Bujji Basha, the second respondent in W.P.No.5311 of 2011. This Writ Petition was filed assailing the action of the police authorities in continuing investigation into the

alleged offences in F.I.R.No.37 of 2011 on the ground that it was a colourable exercise of power.

It may be noticed that as per F.I.R.No.37 of 2011, the petitioners in W.P.No.5311 of 2011 were alleged to have forcibly taken away one G. Baba Sharef and one A. Venkata Subbaiah. However, the said G. Baba Sharef and A. Venkata Subbaiah filed W.P.No.5312 of 2011 alleging that the police authorities were harassing them in the guise of investigation in F.I.R.No.37 of 2011 on the file of the I Town Police Station, Kadapa, Y.S.R District. Gagguturu Bujji Basha was arrayed as the third respondent in this Writ Petition. In the affidavit filed in support of this Writ Petition, they asserted that they were not kidnapped at all and that a false case was foisted under F.I.R.No.37 of 2011 under political motivation.

Sri V.R. Reddy Kovvuri, learned counsel for the petitioners in both the cases, stated that at the time of initial hearing of these matters on 03.03.2011, the petitioners in W.P.No.5312 of 2011 were examined by the learned Judge and only upon being convinced that they had not been subjected to any abduction, interim orders were passed in both the Writ Petitions.

In the light of the aforestated facts, it is clear that there was no basis for the registration of F.I.R.No.37 of 2011 on the file of the I Town Police Station, Kadapa, Y.S.R District, as the alleged victims of the said offences themselves filed a Writ Petition before this Court asserting that there was no truth in the complaint lodged with the police by Gagguturu Bujji Basha.

In that view of the matter, both the Writ Petitions are allowed and F.I.R.No.37 of 2011 on the file of the I Town Police Station, Kadapa, Y.S.R District, shall stand quashed.

Pending Miscellaneous Petitions in both the Writ Petitions shall stand closed in the light of this final order. No order as to costs.

SANJAY KUMAR, J

Date: 03.06.2015

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