

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

WRIT PETITION NO.27009 OF 2011

DATED 08TH SEPTEMBER, 2015

Between:

Smt. Idulla Gangamani

.. Petitioner

and

Government of Andhra Pradesh rep. by its
Secretary to Home Dept., and others

.. Respondents

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION NO.27009 OF 2011

ORDER

The grievance of the petitioner was that respondents 2 to 5, the police authorities of Nizamabad District, were not properly investigating Crime No.274 of 2011 on the file of Armoor Police Station, which was registered against respondents 6 to 10.

The Inspector of Police, Armoor Police Station, Nizamabad District, filed a counter affidavit stating that the petitioner lodged a complaint on 06.07.2011 with the Station House Officer, Armoor Police Station, alleging that her husband who had left the house on 06.07.2011 had not returned and she was informed by the eighth respondent that her husband had been beaten up for committing theft at M/s. Meghana Poultry Farm. She further stated that when she approached the said farm, she found her husband in a pool of blood with severe injuries and was informed that respondents 8 to 10 were responsible for his death. Upon this complaint, Crime No.274 of 2011 was registered under Section 302 IPC on the file of Armoor Police Station against respondents 8, 9, 10 and another. The doctors conducted an autopsy over the body of the deceased and opined that he had died due to shock and haemorrhage as a result of a head injury. Upon due investigation, the police authorities found that a *prima facie* case was made out against Sarikela Ramulu, accused No.2, and that he was solely responsible for the commission of the offence. A charge sheet was accordingly laid against him before the learned Judicial First Class Magistrate, Armoor, in P.R.C.No.26 of 2012 which was committed to the Sessions Court vide S.C.No.241 of 2012. Upon a full-fledged trial, the learned VIII Additional Sessions Judge,

Nizamabad, acquitted the accused by judgment dated 16.01.2013. According to the Inspector of Police, Armoor Police Station, the said accused alone was suspected to be responsible for the offence. He theefore stated that the question of further enquiry did not arise at this stage.

Sri J. Seshagiri Rao, learned counsel for the petitioner, stated that though the case has already ended in the acquittal of the second accused in Crime No.274 of 2011, the police authorities did not take necessary steps against the other accused.

In the light of this statement, it shall be open to the petitioner to approach the competent criminal Court and seek appropriate remedies in accordance with law if she is aggrieved by the deletion of the names of the other accused in Crime No.274 of 2011 on the file of Armoor Police Station.

Subject to the above liberty, the writ petition is closed. Pending miscellaneous petitions, if any, shall also stand closed. No order as to costs.

SANJAY KUMAR, J

08th SEPTEMBER, 2015
Svv