

HONOURABLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION No. 40255 OF 2012

DATED 8TH FEBRUARY, 2016

BETWEEN

Smt. Sanapala Yamunarani

...Petitioner

And

The Government of Andhra Pradesh,
Rep. by its Prl. Secretary to Government,
Home Department, Secretariat, Hyderabad and ors.

... Respondents.

HONOURABLE SRI JUSTICE A. V.SESA SAI

WRIT PETITION No. 40255 OF 2012

ORDER:

This Writ Petition under Article 226 of the Constitution of India is filed for the following relief:

“..... to issue a Writ or order or direction, more particularly one in the nature of Writ of Mandamus or any other appropriate Writ declaring the action of the 2nd and 3rd respondents in interfering with the personal liberty of the petitioner and her family members by sending their men and threatening the petitioner with dire consequences of implicating her family members in false cases as illegal, arbitrary, unjustified and also in violation of the principles of natural justice and in violation of Article 21 of the Constitution of India and for a consequential relief of a specific direction to the 2nd and 3rd respondents to act in accordance with law.....”

When the matter is called today, the written instructions dated 21.01.2016 sent by the Sub Inspector of Police, CID RO, Visakhapatnam, are placed on record by the learned Government Pleader. The written instructions, to the extent of relevancy to the case on hand, reads as under:

“It is submitted that one P.Venkata Ramana had lodged a complaint on 24.08.2012 in Cr.No.72/2012 under Sections 420,468,471 read with 34 IPC against 1)Nambala Udantha Rao 2) Snapala Satyanarayana 3) Snapala Yamuna Rani/petitioner herein on the file of CID police Station. The case is pending trial vide C.C.No.44/2015 before the Honourable Chief Metropolitan Magistrate, Visakhapatnam and posted on 19.02.2016.

It is submitted that the petitioner herein and her husband being A-2 and A-3 filed Criminal petition No.5060 of 2015 and the Honourable High Court by orders dated 19.6.2015 in Crl.M.P.No.5168 of 2015 passed the following order:

‘There shall be stay of all further proceedings in CC.No.44/2015 before the Honourable Metropolitan Magistrate, Visakhapatnam so far as accused No.3 is concerned until further orders, the trial court may split up the case so far as accused No.3 concerned and proceed further against accused Nos. 1 and 2’.

It is respectfully submitted that the contention of the petitioner that the respondent police called and detained the petitioner in the police station is false, hence denied. It is submitted that as a part of investigation, the investigating officer conducted the investigation as per law and filed the charge sheet, but it does not mean harassment or detaining the petitioner in the police station.”

In view of the above, the learned Counsel for the

petitioner submits that the Writ Petition may be disposed of by placing on record the written instructions dated 21.01.2016 sent by the Sub Inspector of Police, CID RO, Visakhapatnam.

Accordingly the Writ Petition is disposed of by placing on record the written instructions dated 21.01.2016 sent by the Sub Inspector of Police, CID RO, Visakhapatnam.

Miscellaneous petitions pending consideration if any in the Writ Petition shall stand closed in consequence. No order as to costs.

JUSTICE A. V.SESHA SAI

DATED 8TH FEBRUARY, 2016.
Msnr_x