

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

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WRIT PETITION No.30036 of 2012

Between:

Bandela Achyuta Rama Krishna and others.

....Petitioners

and

Sri Ramesh and others.

....Respondents

JUDGMENT PRONOUNCED ON : 21.03.2016

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO :

1. Whether Reporters of Local newspapers : Yes
may be allowed to see the Judgments?
2. Whether the copies of judgment may be : No
Marked to Law Reporters/Journals?
3. Whether Their Ladyship/Lordship wish to : No
see the fair copy of the Judgment?

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

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WRIT PETITION No.30036 of 2012

ORDER:

This Writ Petition was filed challenging the action of respondent Nos.1 to 4 in interfering with the life and liberty of the petitioners by asking them to daily attend the Undrajavaram Police Station, West Godavari District in connection with Crime No.79 of 2007 (C.C.No.302 of 2007 pending on the file of the learned II Additional Judicial First Class Magistrate, Tanuku).

The petitioners state that the said crime was registered under Sections 498A and 406 of IPC on a private complaint made by the wife of the youngest brother of the first petitioner. The Police arrested the youngest brother of the first petitioner, himself and two other brothers. The petitioner was enlarged on anticipatory bail. They have nothing to do with the personal disputes

between the youngest brother and his wife. After investigation, the Police filed a charge sheet and this Court quashed the charge sheet as against the first petitioner and his two other brothers retaining the charge against the youngest brother, who was shown as accused No.1. In spite of the same, it is alleged that the Undrajavaram Police are bringing pressure on the petitioners to compromise the matter for an astronomical amount and are threatening to implicate them in false cases.

A counter affidavit is filed stating that this Court in Criminal Petition No.4599 of 2008 quashed the proceedings against petitioner Nos.2 to 4 therein, who are accused Nos.2, 3 and 4 in C.C.No.302 of 2007. The first accused - Bandela Sitaram Prasad, is facing trial in the case. In the pending maintenance case in M.C.No.43 of 2007, the learned II Additional Judicial Magistrate of First Class, Tanuku, issued Non Bailable Warrant against the first accused. The learned II Additional Judicial Magistrate of First Class, Tanuku, also issued Non Bailable Warrant against the first accused in C.C.No.302 of 2007. Since the Non Bailable Warrants were not executed against the first accused, a special team was constituted and the whereabouts of the first accused were not known. The special team went to the residence of the petitioners and enquired the whereabouts of the first accused. Instead of cooperating with the investigation, the petitioners filed the present Writ Petition. It was categorically stated in the counter affidavit that respondent Nos.1 to 4 never interfered with the life and liberty of the petitioners nor summoned them daily and detained them illegally in the Police Station.

In view of the said statement made in the counter affidavit, nothing survives for adjudication in the present Writ Petition.

The Writ Petition is, therefore, dismissed. The miscellaneous petitions pending, if any, shall stand closed. There shall be no order as to costs.

(A.RAMALINGESWARA RAO, J)

21.03.2016

vs