

HON'BLE SRI JUSTICE P. KESHA RAO

WRIT PETITION No.36208 of 2012

ORDER:

Heard the learned counsel for the petitioner as well as the learned Government Pleader appearing for respondent Nos.1, 3 and 4.

Learned counsel for the petitioner submitted that she has addressed two letters dated 16.10.2018 and 05.11.2018 to the petitioner through registered post acknowledgement due. However, both the letters are returned un-served with an endorsement "addressee left". Therefore, she informs the Court that she has no instructions from the petitioner and the matter will be intimated to the Legal Services Authority.

The 3rd respondent filed a counter affidavit stating that he worked as Inspector of Police, Malakpet Police Station from 25.03.2005 to 01.04.2008 and also worked as Assistant Commissioner of Police, Malakpet Division from 16.01.2010 to 08.06.2011 and on the date of giving the counter affidavit, he was working as Assistant Commissioner of Police, Sultan Bazar Division, Hyderabad. It is mentioned in the counter affidavit that Crime No.287 of 2006 for the offences under Sections 448, 353, 384 and 323 IPC was registered on the file of the Malakpet Police Station on 12.09.2006 against the petitioner since she trespassed into the police station and assaulted the public servants while they were discharging their legitimate duties and also beaten them with hands. The

above said crime, after full-fledged trial by the learned VII Additional Chief Metropolitan Sessions Judge, Hyderabad, ended in conviction and the petitioner was sentenced to undergo rigorous imprisonment for a period of four months vide judgment in C.C.No.585 of 2006 dated 04.12.2009. It is also mentioned that on a complaint of one Sri T. Srinivas, resident of Saidabad, Hyderabad, a case in Crime No.223 of 2006 under Section 392 IPC was registered on the file of the Narayanaguda Police Station against the petitioner and two others on 12.07.2006. After full-fledged trial, the learned IX Additional Chief Metropolitan Magistrate, Hyderabad, convicted the accused, including the petitioner, and sentenced them to undergo simple imprisonment for a period of five months and also to pay fine of Rs.100/-, in default, simple imprisonment for ten days by judgment in C.C.No.65 of 2007 dated 05.10.2010. Except registration of crime and assisting the Narayanaguda police for apprehension of the petitioner in Crime No.223 of 2006, the 3rd respondent never harassed the petitioner as alleged in the affidavit. In the counter affidavit it is also specifically stated that the petitioner is a perverted lady and having scant respect towards law and she made personal allegations against the learned VII Additional Metropolitan Magistrate, Nampally, Hyderabad, and she has no faith in the judicial system. The petitioner was defaming the respondent police in the general public. Therefore, he sought dismissal of the writ petition.

Along with the counter affidavit, Xerox copies of judgments in C.C.Nos.585 of 2006 and 65 of 2007 are enclosed for perusal of this Court.

Having heard the learned Government Pleader and from the contents of the counter affidavit, it is revealed that criminal cases have been registered against the petitioner leading to her conviction. Though a detailed counter affidavit is filed, neither the petitioner has come forward to file any reply by way of rebuttal nor is in contact with her counsel. The copies of the notices along with the returned un-served covers placed before this Court by the learned counsel for the petitioner are made part of the record. The said letters indicate that the petitioner is not interested to prosecute the matter. Be that as it may, even on merits, more particularly, in the light of the averments made in the counter affidavit, there are no merits in the writ petition and the same is liable to be dismissed.

Accordingly, the writ petition is dismissed.

Miscellaneous petitions, if any, shall also stand dismissed.

P. KESHAVA RAO, J

Date: 12.11.2018.
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