

THE HON'BLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.34711 of 2018

ORDER:

Heard learned counsel for the petitioner and the learned Government Pleader for Home, apart from perusing the entire material available on record.

When the matter is taken up, written instructions, dated 27.09.2018, furnished by the Sub Inspector of Police, Rajendranagar Police Station, Cyberabad, are placed on record by the learned Government Pleader. The said instructions, to the extent of their relevance to the present Writ Petition, are as under:

“The facts of the case are that one Padmanabha Aryan Iyer lodged a complaint on 08.07.2018 with the respondent No.3 Station House Officer, Rajendranagar Police Station, Cyberabad, stating that on 07.06.2018 one V.Venkatesh made call to the complainant mobile number and threatened him to trespass into his house and forcefully take away his car, bike and other assets belong to the complainant. Later on 28.06.2018 the petitioner along with other criminally trespassed into the complainant residence at Flat No.301, Sri Mallenagar colony, Attapur, Rajendranagar due to some contract dispute with the complainant and threatened the complainant and his family members with dire consequences.

It is submitted that pursuant to the complaint of the said Padmanabha Aryan Iyer, a case was registered in Cr.No1087/2018 dated 08.07.2018 for the offences U/s. 448. 506 I IPC against the petitioner and others on the file of 3rd respondent and investigation has been taken up. The copy of FIR is enclosed herewith for kind perusal of the Hon'ble Court.

It is respectfully submitted that the contention of the petitioner that the respondent No.3 Station House Officer, Rajendernagar Police Station, Cyberabad harassed, humiliated the petitioner and threatened the petitioner to attend the Police Station by interfering in the life and liberty of the petitioner is incorrect, baseless, far from truth and has been created for the purpose of filing the present Writ Petition.

It is incorrect to say that the petitioner attended the police station and the 3rd respondent threatened the petitioner not to ask his amounts from the complainant Padmanabha Aryan Iyer or else the petitioner will be implicated in false cases, hence denied. It is submitted that the petitioner is absconding in the above criminal case and the 3rd respondent taken sincere efforts to secure his presence for the purpose of investigation in the FIR.

It is submitted that except registering the FIR No. 1087/2018 dated 08.07.2018 for the offences U/s. 448. 506 I IPC against the petitioner and others on the file of the 3rd respondent, the 3rd respondent did not interfere with the life and liberty of the petitioner nor harassed Station and the 3rd respondent threatened the petitioner nor harassed or threatened him as alleged by the petitioner herein. The present writ petition has been filed to divert the attention of the investigating agency. Since the date of commission of offence, the petitioner is absconding.

It is submitted that the petitioner is required for the purpose of investigation, but he evaded to appear before the investigating agency and contended that the 3rd respondent called the petitioner on 19.11.2017 and threatened him is incorrect and baseless”.

By placing on record the above written instructions Writ Petition is disposed of, directing the respondent-police authorities to act strictly in accordance with law. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this Writ Petition, shall stand closed.

A.V. SESA SAI, J

08th November, 2018
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