

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

WRIT PETITION No.35794 of 2018

ORDER:

When the matter is taken up, written instructions, dated 03.10.2018, furnished by the Sub Inspector of Police, Abids Road Police, Station, are placed on record by the learned Government Pleader. The said instructions, to the extent of their relevance to the present Writ Petition, read as under:

"It is respectfully submitted that as per the records, the facts of the case are as follows:-

On a complaint lodged petitioner herein dated 27.2.2018 with the Police of Abid Road Police Station, Hyderabad after enquiry into the matter, a petty Case vide Consecutive No.HYDO1PCi8100028 dated 27.2.2018 under Sec.70-B of the City Police Act dated 2.3.2018 was booked against Mr.TipparajuVenu Prakash Rao (3rd respondent herein) as he was coming out from application receiving counter (LIC Office) and beat him with legs and also threatened him with dire consequences and investigated into.

After completion of the investigation, appropriate petty case charge sheet was also filed before Hon'ble Court of III Special Metropolitan Magistrate, Hyderabad and the same was taken on file by the Hon'ble Court vide STC.No.1416/2018/

The 3rd respondent/accused is facing trial in the said case.

It is respectfully submitted that Sri T.Venuprakash Rao/3rd respondent herein also lodged a complaint on 2.3.2018 with the Police of Abid Road Police Station, Hyderabad stating that the petitioner herein abused and manhandled the few of the agents in his LIC office and misbehaved with them.

Upon receipt of the said petition, an entry was made into the Station General Diary, after enquiry action will be taken.

Accordingly, after enquiry into the petition, a petty Case vide Consecutive No.HYDOIPCISIO0044 U/sec 70-B of the City Police Act dated 4.4.2018 was booked against the writ petitioner herein and investigated into.

After completion of the investigation, appropriate petty case charge sheet was also filed before the the Hon'ble Court of III Special Metropolitan Magistrate, Hyderabad and the same was taken on file by the Hon'ble Court vide STC.No.1615/2018.

The writ petitioner herein is facing trial in the said case.

It is pertinent to submit that both the above mentioned two petty cases were registered against each other and filed respective petty case charge sheets before the concerned Hon'ble Court and they were facing trial in the said cases.

It is humbly submitted that this respondent police never asked the petitioner or threatened him and his witnesses in STC.No.1416/2018 to compromise the matter with the 3rd respondent(complainant in STC No.1615/2018).

It is pertinent to submit that truth or otherwise will come out against each other after full-fledged trial conducted by the trial court.

It is submitted that the allegation of the petitioner that he is receiving threats from this respondent that they want to register non-bailable cases and false cases against him and his witnesses if they are not compromised the matter in the above cases with the 3rd respondent herein is utterly false, baseless and hence denied.

I submit that there is no necessity for this respondent police to ask the petitioner or the witnesses to compromise the matter or else false non-bailable cases will be booked against him.

I humbly submit that this respondent enquiries revealed that having bore grudge against the 3rd respondent herein on whose complaint, the petitioner is facing trial in STC.No.1615/2018, the petitioner made false and baseless allegations against this respondent.

I humbly submit that it is always open to the petitioner to put forth his contentions before the trial to prove his innocence in STC.No.1615/2018 and put forth evidence in STC.No.1416/2018.

It is pertinent to submit that this respondent is ready and willing to produce the CCTV footages regarding the incident, if the Hon'ble Court directs this respondent police. The allegation of the petitioner that this respondent did not produce the CCTV footages before the trial court is absolutely false and hence denied”.

By placing on record the above written instructions, Writ
Petition is closed. There shall be no order as to costs.

Miscellaneous petitions pending, if any, shall stand
closed.

24th October, 2018
Tsy

A.V.SESHA SAI, J