

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

WRIT PETITION No.36138 of 2018

ORDER:

When the matter is taken up, written instructions, dated 04.10.2018, furnished by the Sub Inspector of Police, Madannapet 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 of the petitioner herein lodged with the Police of Madannapet Police Station, Hyderabad City, a case in Cr.No.156/2017 U/sec.354 (C) IPC dated 21.12 2017 was registered against Mr.Ivlohanitned Awaisuddin and others as they abused her in bad words by installing a CCTV camera in her bed room and taken up the investigation into the case.

During the course of investigation, this respondent being the investigation officer examined the complainant/petitioner and other witnesses and recorded their detailed statements.

As per the statements of the witnesses, it is revealed that the complainant/victim marriage was performed with A1 (husband of the petitioner) in the year 2015. After her marriage, her husband left to Australia. Later she came to know that she was pregnant. On knowing this, A 1 to A5 started harassment physically and mentally by suspecting her character that the pregnancy was not through A1. In this regard, the accused persons A1 to A5 got installed the CC cameras in her bed room, when she noticed and asked regarding the CC cameras but they rudely replied. When, her husband returned to India, she informed that they have installed CC cameras in her bed room but her husband also supported them. Since, her marriage the accused persons A 1 to A5 harassed her physically and mentally by suspecting her character and necked out her from their house.

The investigation officer also filed a requisition before the Hon'ble Court of VI Addl.Chief Metropolitan Magistrate, at Nampally, Hyderabad to record Sec.164 Cr.P.0 statement of the petitioner herein. The Hon'ble Court recorded the Sec.164 Cr.P.0 statement of the petitioner herein on 20.2.2018.

Basing on the statement of Sec.164 Cr.P.C. given by the petitioner before the Hon'ble Court, the investigation office added Sec.498 (A) IPC apart from the existing section of law 354 (C) IPC.

Notice U/sec.41 (A) Cr.P.0 were issued to A2 to A5.

It is further respectfully submitted that the petitioner/complainant did not say anything about the passports in her Sec.161 Cr.P.C statement recorded by this respondent police and Sec.164 Cr.P.C. statement recorded by the Hon'ble Court. But raised this allegations in the present writ petition.

It is pertinent to submit that A1 husband of the petitioner by name Mohammed Awaisuddin is staying in Australia and hence, this respondent police opened a Look Out Circular on 2.5.2018 which is valid upto 23.4.2019.

It is humbly submitted that almost the investigation is completed. There are no specific directions/orders to seize passports of the respondents 6 to 10 herein who are the accused A1 to A5.

It is pertinent to submit that when this respondent filed the charge sheet before the Hon'ble Court of XIII Addl. Chief Metropolitan Magistrate at Nampally, Hyderabad, the Hon'ble Court returned the charge sheet on 24.9.2018 with an objection that police station Madannapet is comes under the limits of South Zone.

It is further humbly submitted that as pail of investigation, this respondent being the investigation officer seized DVR from the house of the accused.

In view of the same, this respondent is going to transfer the CD file in connection with Cr.No.156/2017 U/sec.498(A), 354-C IPC to the Station House Officer, Women Police Station, South Zone, Hyderabad for taking further course of action in this matter”.

By placing on record the above written instructions, Writ Petition is disposed of. 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