

HON'BLE SRI JUSTICE A.V.SESHA SAI

W.P.No.39431 of 2018

ORDER:-

When the matter is taken up, the written instructions furnished by the Station House Officer, Mandamarri Police Station, Mancherial District, dated 01.11.2018, are placed on record by the learned Government Pleader. The said instructions read as under:-

"It is further submitted that the 5th respondent herein i.e., Jadala Rajesham has submitted a petition to the Commissioner of Police, Ramagundam, in which he stated that one Bairi Rajaiah and his son-in-law Gajwangi Raj Kumar (petitioners herein) have taken his land documents to mortgage for bank loan and also promised to return his documents after six months. But, they did not return his documents and, when he asked them for his land documents, they filed a case against him. Later, said Rajaiah promised to return his documents after his retirement by paying entire loan amount, but they did not give him. Due to which, he was unable to perform the marriage of his daughter Mounika. As such, he requested for taking necessary action.

It is submitted that soon after receipt of the above petition by the Central Crime Cell (CCC) Ramagundam Police Commissionerate, vide C.No.324/CCC/CP/2018, dated 24.05.2018, the said petition was forwarded to the C.I. of Police, Mandamarri for enquiry.

It is submitted that based on the above petition, the C.I. of Police, Mandamarri caused enquiry. During enquiry, he secured the presence of both the 5th respondent herein and the alleged persons/petitioners herein. On enquiry, it is revealed that there is a civil dispute between them. On that, earlier the petitioners herein have filed a suit in the month of November, 2014 vide O.S.No.839/2014 before the Hon'ble V-Additional Junior Civil Judge, Warangal. Later, the 5th respondent

also filed a case in Cr.No.20/2015 of P.S. Karimnagar on 20.12.2017. Later, this Hon'ble Judicial Magistrate of First Class (Special Mobile) Karimnagar, discharged the petitioners herein from the case in Cr.No.20/2015 of P.S.Karimnagar filed by the 5th respondent under Sections 323, 506, 420, 120-B r/w 34 I.P.C. The enquiry revealed that the subject matter is civil in nature, criminal case and private suit have also been filed, more over the place of offence comes under the limits of Karimnagar and Warangal, as such the C.I. of Police has not taken any action on the CCC petition sent by the 5th respondent against the petitioners herein. After enquiry, the C.I. of Police has sent a report vide C.No.755/C1/Q/2018, dated 06.10.2018, to the Office of the Commissioner of Police, Ramagundam.

It is submitted that, except causing enquiry on the CCC petition by enquiring both the parties, as stated above, the Police have not interfered with the subject matter or harassed the petitioners or subjected them to any difficulty, as alleged in the affidavit. The allegations made in the affidavit against the official respondents are not correct and are hereby denied.”

Accordingly, the Writ Petition is disposed of, by placing on record the said instructions furnished by the Station House Officer, Mandamarri P.S., Mancherial District, dated 01.11.2018, with a further direction to the respondent-police authorities to act strictly in accordance with law

Miscellaneous petitions pending, if any, shall stand disposed of. There shall be no order as to costs.

A.V.Sesha Sai, J

Date: 30.11.2018
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