

HON'BLE SRI JUSTICE A.V.SESHA SAI

W.P.No.41966 of 2018

ORDER:-

When the matter is taken up, the written instructions furnished by the Sub-Inspector of Police, Amalapuram Town P.S., East Godavari District, dated 22.11.2018, are placed on record by the learned Government Pleader. The said instructions read as under:-

"It is submitted that the 6th respondent herein has approached the Amalapuram Town P.S., East Godavari District, and lodged a written report on 17.02.2018, stating therein that her husband Dura Shankar, the son of the petitioner herein, has left their house on 11.02.2018, but did not return. Further, the complainant/6th respondent expressed suspicion against the petitioner herein, in respect of missing of her husband.

It is submitted that basing on the above report of the 6th respondent, a case in Cr.No.90/2018, dated 17.02.2018, under Head 'Man Missing' was registered on the file of Amalapuram Town P.S., East Godavari District, wherein investigation is in progress. During the course of investigation, it is disclosed that the petitioner's son Durga Shankar, belonging to Setti Balija caste and the 6th respondent herein belonging to Mala-SC caste had the love marriage, without the consent and approval of the petitioner herein and started living separately.

It is submitted that further during the course of investigation, the Amalapuram Town Police has enquired with all the relatives and friends of the son of the petitioner herein, including the petitioner, to find the whereabouts of the missing person, the husband of the 6th respondent herein. The Amalapuram Town P.S., has no knowledge or concerned with the property/civil dispute between the petitioner and his missing son along with his wife, the 6th respondent herein, which is said to be the subject matter of O.S.No.31/2017.

It is submitted that all the allegations of the petitioner in paras 6 to 8 against the respondent Police authorities are not correct and hereby denied. The contention of the petitioner that the 5th respondent with active support of the respondents 2 to 4, called the petitioner and his family members to the 5th respondent Police Station and kept them for hours other and insisted the petitioner to produce the 6thrp's husband before the P.S. and threatened to register a F.I.R. under SC&ST Act, is false and baseless. In fact, pursuant to the registration of FIR No.90/18, the Amalapuram Town Police has enquired about the whereabouts of his missing son with the petitioner at his residence, but not called him to the Police Station along with his family, as alleged by the petitioner in the affidavit. Therefore, the allegation of the petitioner that the 5th respondent has been interfered with the personal liberty of the petitioner by calling the petitioner to the Police Station in connection with FIR No.90/2018, dated 17.02.2018, is not correct and hereby denied. All other allegations of the petitioner against the respondent Police authorities in the Writ Petition are in correct, untenable and hereby denied."

Accordingly, the Writ Petition is disposed of, by placing on record the said instructions furnished by the Sub-Inspector of Police, Amalapuram Town P.S., East Godavari District, dated 22.11.2018, with a 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: 06.12.2018
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