

HON'BLE SRI JUSTICE A.V.SESHA SAI

W.P.No.44204 of 2018

ORDER:-

When the matter is taken up, the written instructions furnished by the Sub-Inspector of Police, Sultanbazar Police Station, dated 05.12.2018, are placed on record by the learned Government Pleader. The said instructions read as under:-

“The petitioner herein has approached the Police of Sultan Bazaar Police Station, Hyderabad City and lodged a complaint on 18.11.2018 by daughter of the petitioner herein and on 19.11.2018 the petitioner herein requesting to initiate action against Mr.Bandari Gopal and B.Punyavathi @ Ooha as they used filthy language and tried to attack him and his physically handicapped son etc.

Upon receipt of the said complaints, an entry was made into the Station General Diary on 18.11.2018 and 19.11.2018 respectively.

After enquiry, it came to light that the contents in the complaint dated 19.11.2018 of the petitioner herein are non-cognizable in nature attracting the provisions of Section 506 I.P.C.

Accordingly, a requisition was also filed before the Hon'ble Court of II-Additional Chief Metropolitan Magistrate, Nampally, Hyderabad, on 05.12.2018 praying the Hon'ble Court to accord permission to proceed with the non-cognizable complaint. The same is pending consideration. As soon as the permission is obtained from the Hon'ble Court, further course of action will be taken.

It is pertinent to submit that there are no cognizable contents in the complaint dated 18.11.2018 of the daughter of the petitioner herein and hence no action was taken. But on the complaint of the petitioner herein, dated 19.11.2018, after enquiry into the matter, a requisition was filed before the concerned Hon'ble Court seeking permission to proceed with the non-cognizable offence.

It is humbly submitted that action was taken on the complaint dated 19.11.2018 of the petitioner herein by filing requisition before the concerned Hon'ble Court since the contents of the complaint appeared to be non-cognizable in nature. After obtaining permission from the Hon'ble Court, necessary steps will be taken and the same will be communicated to the petitioner herein.

In view of the above facts and circumstances, it is prayed that this Hon'ble Court may be pleased to dismiss the Writ Petition in the interests of justice."

Accordingly, the Writ Petition is disposed of, by placing on record the said instructions furnished by the Sub-Inspector of Police, Sultan Bazaar Police Station, dated 05.12.2018. However, it is open for the petitioner herein to avail the other remedies open, if the same are warranted, in accordance with law.

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

Date: 20.12.2018
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A.V.Sesha Sai, J