

HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No. 791 of 2019

Date : 29.1.2019

Between:

Sajid Ali son of Abid Ali aged about 48 years Occ Business
residing at H No 188244/C/102 Fatehshahnagar Moinbagh
Hyderabad

Petitioner

And

State of Telangana
rep by its Principal Secretary for Home Telangana Secretariat
Hyderabad & others

Respondents

The Court made the following:

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ORAL ORDER:

Heard learned counsel for petitioners and learned Government Pleader for Home.

2. This writ petition is filed by petitioners alleging that respondents are threatening the petitioners' relatives/friends in the name of investigation and trying to arrest petitioners in pending cases or by registering false cases.

3. The 4th petitioner and other petitioners are close relatives and 4th petitioner is prosecuting B.Com. 4th petitioner made a complaint on 3.1.2019 to the Commissioner of Police, Rachakonda Commissionerate, Hyderabad alleging that his friends were taken into custody and were subjected to interrogation to show his address and whereabouts. Petitioners claim that they are law abiding citizens; whereas, the police personnel of Saroornagar police station are harassing and humiliating the 4th petitioner and his family members and sought for his intervention against the illegal action of his subordinates. Alleging inaction on the said representation and harassing and creating problems to 4th petitioner and his family members, this writ petition is filed.

4. The Deputy Commissioner of Police (Crimes) Rachakonda Commissionerate furnished written instructions. According to written instructions, 12 crimes are registered against first petitioner, wherein, in some crimes charge sheets are filed; some cases are pending trial before the competent Courts and one case was settled on 9.12.2017. It appears on 28.12.2018, one Appam Bhaskar lodged complaint with Station House Officer, Vanasthalipuram police station alleging that unknown persons by diverting his attention, have taken away Rs.50,000/- from him. During the course of investigation, the police of Vanasthalipuram

police station collected CC TV footages and CCS, L B Nagar verified the footages which appeared as first petitioner and basing on the CC TV footages, 4th petitioner/son, and his friends were called to police station to find out address of first petitioner. It is further submitted that investigation in Crime No. 1061 of 2018 of Vanasthalipuram police station is under progress. The allegation of petitioners that subordinates of deponent are harassing is denied. The allegation of petitioner that on 31.12.2018 the Police of Saroornagar Police Station called and detained the friends of 4th petitioner is also denied.

5. Having regard to the fact that crimes are registered and pending against first petitioner, it cannot be said that the police are unnecessarily harassing the petitioners, further more, when respondents categorically denied calling petitioners to police station. When there is no other material placed on record, the Court cannot hold the action of the respondents in conducting investigation into the crimes already registered as amounting to abusing the powers and illegally harassing the petitioners, warranting interference of this Court.

6. Accordingly, the writ petition is dismissed, leaving it open to petitioners to workout their remedies as available under law. Miscellaneous petitions, if any pending, are closed.

DATE: 29-1-2019
TVK

P NAVEEN RAO,J

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