

**HONOURABLE SRI JUSTICE P.NAVEEN RAO**

**WRIT PETITION NO.1724 OF 2019**

**Date: 14.03.2019**

Between:

N.Subramanyeswara Rao, s/o. late Adinarayana Rao,  
Aged about 54 years, Occu: Govt.Employee,  
R/o. 37, Amity Homes, Prakashreddypet, Subedari,  
Hanumakonda and another.

.....Petitioners

and

The State of Telangana, rep.by its Prl.Secretary,  
Home Department, Secretariat, Hyderabad,  
and others.

.....Respondents



The Court made the following:

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**ORDER:**

According to the petitioners, their son married daughter of 4<sup>th</sup> respondent on 02.08.2012 and after marriage, their son and daughter-in-law moved to Australia and were living there since April, 2013. Their daughter-in-law died on 17.05.2016. Alleging that death was not natural and that son of the petitioners was responsible for the death of daughter of 4<sup>th</sup> respondent, 4<sup>th</sup> respondent filed complaint before the KPHB Colony Police Station. Based on the complaint, Crime No.465 of 2016 was registered by the Police under Section 304-B read with Section 34 of IPC on 14.06.2016. Son of the petitioners is shown as Accused No.1 and petitioners as Accused nos.2 and 3. This writ petition is filed alleging that there is no further progress in the investigation and delay in filing final report, and challenge inaction in filing final report in pending crime.

2. The Sub-Inspector of Police, Kukatpally Police furnished written instructions to the learned Government Pleader dated 30.01.2019. Based on the written instructions, learned Government Pleader would submit that investigation was taken up and LWs.1 to 8 were examined and their statements were recorded; accused no.2 and 3 were arrested on 24.06.2016 and sent them to judicial remand. As accused no.1 is living in Australia, Look Out Circular was issued against him. As the offence alleged is committed in Melbourne in Australia, Investigating Officer addressed a letter to the authorities in Australia through proper channel in connection with the incident and a reply of the

authority is awaited. It is further stated that Letter Rogatory Request was sent to the Commonwealth Australia on 15.01.2019 through proper channel seeking to provide information and evidence and attestation of connected records issued by the authorities of Australia. As the issue involves obtaining information from another country, and as accused no.1 is living in Melbourne, no further progress in the crime was made.

3. Having regard to the submission of the learned Government Pleader, based on the written instructions furnished to him, it cannot be said that said action of respondent Police in not finalizing the investigation and filing final report as deliberate and willful warranting interference by this Court. Further, except for alleging that Police are negligent in finalizing the investigation and filing final report, nothing is placed on record by the petitioners to show that whether any investigation was taken up by Australia Police and the result of such investigation. Thus, Writ Petition is dismissed. However, it is open to petitioners to cooperate with the Police in securing appropriate information from Australia and to ensure early conclusion of the investigation and filing of final report. Pending miscellaneous petitions shall stand closed.

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**JUSTICE P.NAVEEN RAO**

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