

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.4950 OF 2019

Dated:25.03.2019

Between:

Smt. Chimmala Swetha, W/o. Vijayakumar,
Aged about 35 years, R/o.H.No.12-10-590/129/7,
Eswara Enclave, Near Johnson Grammer
School, Warasiguda, Secunderabad .. Petitioner

And

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



The Court made the following:

THE HON'BLE SRI JUSTICE P. NAVEEN RAO**WRIT PETITION No.4950 OF 2019****ORDER:**

Heard learned counsel for the petitioner and learned Government Pleader for Home appearing for respondents 1 to 5.

2. According to petitioner, respondent No.6 owed money to petitioner and failed to repay the same. Without paying money, respondent No.6 got issued legal notice, as if petitioner owes money to respondent No.6. At the behest of respondent No.6, the Sub-Inspector of Police, Chilkalguda Police Station, Secunderabad, respondent No.5 herein, called the petitioner and her husband to the police station and under duress and pressure, negotiated the amount and settled at Rs.92,000/-. It is further alleged that though respondent No.6 agreed to pay money, respondent No.5 demanded the petitioner and her husband to return the cheques, but petitioner did not oblige such demand. Therefore, respondent No.5 instigated respondent No.6 to file a complaint and based on the false complaint, Crime No.15 of 2018 was registered for the offences under Sections 420, 406 and 506 I.P.C. and Section 5 of the Andhra Pradesh Protection of Depositors of Financial Establishments Act. Petitioner further alleges that without affording reasonable opportunity, as required under Section 41 A Cr.P.C., remanded her to judicial custody and was detained for 28 days. Petitioner alleges that there is illegal involvement of respondent No.5 and therefore prays to direct respondents 2 to 4 to entrust the investigation of the said crime to any other investigating agency for proper investigation.

3. Learned Government Pleader for Home, based on the written instructions furnished by the Sub-Inspector of Police, Chilkalguda Police Station, submits that Sri J. Veera Babu, the then Sub-Inspector of Police, is transferred and a new Sub-Inspector of Police has taken charge of the said police station. He therefore submits that in view of the change of incumbent Sub-Inspector, there is no need to entrust the investigation of crime to any other investigating agency, as the incumbent Sub-Inspector would conduct investigation in a fair manner.

4. In view of the said submission, no further orders are required to be passed in the Writ Petition. The Writ Petition is accordingly dismissed. There shall be no order as to costs. Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

Date:25.03.2019

KH

P. NAVEEN RAO, J