

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

Writ Petition No.8363 of 2019

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed by the petitioner, seeking a Writ of Mandamus declaring the action of the 2<sup>nd</sup> respondent/Station House Officer, Cyber Crimes Police Station, Central Crime Station, Hyderabad, in not issuing the First Information Report basing on the complaint, dated 24.12.2018, lodged by the petitioner, as unconstitutional, illegal and arbitrary.

2. Heard Sri N.Harinath, learned counsel for the petitioner, Sri G.Malla Reddy, learned Assistant Government Pleader for Home representing the respondents 1 to 3 and perused the record.

3. The learned counsel for the petitioner would submit that though the petitioner lodged a complaint, dated 24.12.2018, with the 2<sup>nd</sup> respondent/Station House Officer, Cyber Crimes Police Station, Central Crime Station, Hyderabad, against the respondents 4 and 5, for defaming her, no action has been taken and ultimately prayed to direct the respondent No.2 to issue First Information Report basing on the complaint, dated 24.12.2018, lodged by the petitioner.

4. On the other hand, learned Assistant Government Pleader for Home representing the respondents 1 to 3 would submit that the allegations made by the petitioner in the subject complaint, dated 24.12.2018, against the respondents 4 and 5 are defamatory in nature and that the 2<sup>nd</sup> respondent/Station House Officer, Cyber

Crimes Police Station, Central Crime Station Hyderabad, has intimated the petitioner, vide letter, dated 18.04.2019, to work out the remedies available under law.

5. It is pertinent to state that there is enabling provision under Section 200 of Code of Criminal Procedure, 1973, to work out the remedies available under law. In the circumstances of the case, it is open to the petitioner to work out the remedies available to her under law, i.e., civil and criminal.

6. With the above observation, the Writ Petition is disposed of at the stage of admission. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this Writ Petition, shall stand closed.

22<sup>nd</sup> April, 2019  
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Dr. SHAMEEM AKTHER, J

