

HON'BLE SRI JUSTICE P. KESHA RAO

WRIT PETITION No.22466 of 2014

ORDER:

Heard the learned counsel for the petitioners as well as the learned Government Pleader appearing for the respondents 1 to 4.

2. The prayer sought in the writ petition is as under:

“...this Hon'ble Court may be pleased to issue order or direction more particularly in the nature of Writ of Mandamus declaring the action of the officials of the Respondents No. 1 & 4 not investigated and without proper enquiry filed formal charge sheet. The action of the Officials of the Respondents amounts to violation of principles of natural justice and violation of Articles 14 & 21 of the Constitution of India, and consequently direct the Respondents to conduct further investigation in FIR in Crime No.1352 of 2009 on the file of K.B.H.P Police Station, to pass such other order or orders as this Hon'ble Court may deems fit and proper in the circumstance of the case.”

3. The learned Government Pleader placed on record the written instructions dated 01.09.2014 issued by the Sub-Inspector of Police, KPHB Police Station, Cyberabad.

4. From a perusal of the said written instructions, it is revealed that the elder brother of the petitioner lodged a complaint on 01.11.2009 with the fourth respondent – police station stating that his brother's daughter by name V. Kranti, W/o. Kashi Viswanatha Raju, committed suicide by jumping from the IV floor at SK Tower, VI Phase, KPHB Colony, due to harassment of the respondent 5 to 7 and she was harassed mentally demanding additional dowry. He requested to take necessary action. Pursuant to the lodging of the said complaint, a case in Cr.No.1352 of 2009 under Section 304-B of the Indian Penal Code was registered on the file of the KPHB Police Station, Cyberabad, on 01.11.2009 against the respondents 5 to 7. During the course of investigation, as many as 17 witnesses were examined and their

detailed statements were recorded. A1 and A2 were arrested on 03.11.2009 and sent to judicial custody. A3 was granted anticipatory bail by the learned Additional Metropolitan Sessions Judge, Cyberabad vide CRLMP.No.2059 of 2009 dated 13.11.2009. Accordingly, she surrendered before the concerned Magistrate and released on bail on 16.11.2009. The inquest over the body was held on 01.11.2009 by the Deputy Collector/Tahsildar, Balanagar Mandal before the mediators. The post mortem examination report was received and the cause of death of the deceased was shown due to multiple injuries. After completion of investigation, charge sheet was filed on 08.01.2010 and the same was taken on file as S.C.No.671 of 2013 before the IX Metropolitan Magistrate, Cyberabad at Kukatpally.

5. Since the charge sheet is filed, if the petitioner has any objection, the remedy available to the petitioner is to file a protest application as per law. In that view of the matter, this Court is of the opinion that no further cause would survive in the writ petition and the same is liable to be closed.

Accordingly, the writ petition is closed. As a sequel thereto, pending miscellaneous petitions, if any, shall stand closed. There shall be no order as to costs.

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P. KESHAVA RAO, J

December 13, 2019  
DSK