

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

WRIT PETITION No.45010 OF 2018

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed seeking the following relief:

“..to direct Respondent Nos.1 to 5 not to illegally detain the petitioners on the false complaints or influence of Respondent 6 and Respondent No 7 as well as not to harass the petitioners and their family and also not to curtail liberty of the petitioners and may prevent the Respondents not to do above illegal acts i.e., threatening etc and take action by punishing all the Respondents if they or any men claiming through them if found approaching at the Residential and Business place of petitioners and consequently direct respondents Nos. 1 to 5 not to harass the petitioners by calling them to P.S Kamatipura Hyderabad.”

2. Heard the learned counsel for the petitioners, the learned Assistant Government Pleader for Home appearing for respondents 1 to 5 and perused the record.

3. Learned counsel for the petitioners would submit that the petitioners are being unnecessarily called to the police station by the 4th respondent and harassed without there being any accusation against them. It is also submitted that the petitioners made a complaint against respondents 6 and 7 alleging cognizable offences, but no action has been taken yet.

4. Under these circumstances, if there is any commission of cognizable offences against respondents 6 and 7 and no action has been taken by the police on the report submitted against

them, the petitioners have to workout the remedies available under the Code of Criminal Procedure, 1973, particularly by filing a complaint under Section 200 Cr.P.C. before the Magistrate concerned in this regard. These petitioners are entitled to avail the said remedy.

5. As far as calling of petitioners to police station unnecessarily is concerned, the Station House Officer, Kamatipura Police Station, Hyderabad, shall not call the petitioners to the police station and subject them to any coercive action.

6. With these observations and directions, the Writ Petition is disposed of. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

Dr. SHAMEEM AKTHER, J

APRIL 24, 2019
YVL

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Date:24.04.2019

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