HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
(Special Original Jurisdiction)

FRIDAY, THE EIGHTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY

PRESENT

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION NO: 15393 OF 2020

Between:

1. Ganta VN Gandhi, S/o. Late. G. Sriramulu, Aged 38 Years, Occ: Housewife
2. Ganta Ramadevi, W/o. Ganta VN Gandhi, Age 30, Occ: House Wife
3. G Mangamma, W/o G. Santosh Kumar, Aged 32 years, Occ: House Wife,

All are the R/o. 7-1-304, Flat 101, Balaji Apts, Block A, B.K.Guda, SR Nagar, Hyderabad 500038

...PETITIONERS

AND

1. The State of Telangana, Rep. by the Principal Secretary, Home Department, TS Secretariat, Hyderabad
2. The Commissioner of Police, Cyberabad Police Commissionerate, Gachibowli, Hyderabad
3. Vijay Bhaskar Reddy, S/o Not known the Petitioner, Aged major, Occ: Inspector of Police, Economic Offences Wing, Cyberabad Police Commissionerate
4. Office of the Economic Offices Wing, Cyberabad Police Commissionerate, Gachibowli, Hyderabad

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a writ, order or orders more particularly one in the nature of writ of Mandamus declaring the action of the respondents particularly 3rd respondent herein and calling the petitioners to the 4th respondent's police station as illegal, arbitrary, unconstitutional and against well violated principles of the law and consequently direct the 3rd respondent to not to call the petitioners to the 4th Respondent police station and not to harass the petitioners in any manner without following due process of law.

IA NO: 1 OF 2020

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the 3rd respondents to not to harass the petitioners in any manner without following due process of law pending disposal of the writ petition.

Counsel for the Petitioner: SRI U. D. JAI BHIMA RAO

Counsel for the Respondent Nos. 1, 2 & 4: AGP FOR HOME

Counsel for the Respondent No.3: --

The Court made the following: ORDER

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.15393 OF 2020

ORDER:

Heard learned counsel for petitioners and learned Assistant Government Pleader for Home.

02. This writ petition is filed alleging that the Inspector of Police, Economic offences Wing, Cyberabad Police Commissionerate is calling the petitioners to the 4th respondent-police station and harassing them without any justification, even though no crime is registered against them.

03. On instructions, learned Assistant Government Pleader informs the Court that based on the complaint lodged by one Smt.T.Nagamani on 10-09-2020, Crime No.460 of 2020 was registered in Sanathnagar Police Station under Sections 406, 420 IPC read with Section 5 of 'The Telangana Protection of Depositors and Financial Establishments Act' and later crime was transferred to Economic Offences Wing of Cyberabad police Commissionerate. In the said crime, petitioners were named as accused as reported by the complainant.

04. Since crime is already registered and transferred to the Economic Offences Wing, it cannot be said that petitioners are called to the police station without any justification. When a cognizable crime is reported, the police have to investigate and in the process of investigation, the police can question the accused. It is needless to observe that police shall follow due procedure in conducting investigation into the crime.

05. Accordingly, the writ petition is dismissed. Pending miscellaneous petitions, if any, shall stand closed.

SD/-B.SATYAVATHI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. One CC to Sri U. D. Jai Bhima Rao, Advocate [OPUC]
2. Two CCs to GP for Home, High Court for the State of Telangana [OUT]
3. Two CD Copies.

MP



HIGH COURT

DATED:18/09/2020



ORDER

WP.No.15393 of 2020

DISMISSING THE WRIT PETITION
WITHOUT COSTS