

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

THURSDAY, THE TWENTY SECOND DAY OF DECEMBER
TWO THOUSAND AND TWENTY TWO

PRESENT

THE HONOURABLE SRI JUSTICE B.VIJAYSEN REDDY

WRIT PETITION NO: 43369 OF 2022

Between:

1. M.Kiran Kumar, S/o.Gopal, Occ . Business R/o.H.No.1-14-223, Dr.Ambedkar Society Balamrai, Secunderabad, Hyderabad.
2. B.Mallikarjun, S/o.Narayana, Occ . Business R/o.Plot No.75/A, Bhavana Colony Secunderabad, Hyderabad.

...PETITIONERS

AND

1. The State of Telangana, Rep. by its Principal Secretary Home Department Secretariat, Hyderabad.
2. The Commissioner of Police, Basheerabad, Hyderabad.
3. The Assistant Commissioner of Police, Begumpet Division, North Zone Secunderabad.
4. The Station House Officer, Begumpet Police Station Begumpet, Hyderabad.
5. Nakkala Kishore Yadav, S/o.Mallesha Yadav, Occ . Business R/o.H.No.6-3-851/B, Seshmahal Road Ameerpet, Hyderabad.
6. Mrs.Nanda Devi Bumb, W/o.Vijay Kumar Bumb, Occ . Housewife R/o.H.No.19-3-971/A, Shamsergunj Charminar, Hyderabad.
7. Mrs.Vidya Devi Jain, W/o.Late Mangilal Jain, Occ Housewife R/o.Plot No.19, Paigaha Colony S.P.Road, Secunderabad.

...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 an appropriate writ, order or direction more particularly one in the nature of Writ of Mandamus, declaring the action of the Respondent Nos.3 and 4 in threatening the petitioner to close down the pending Crime No.59/2022 on the file of the 4th respondent registered at the instance of the petitioners u/sec.406, 420 r/w 34 IPC and Sec.3 (1) (x) of SC/ST (POA) Act, 1989 against the unofficial respondents in spite of submitting all the documents to proceed

with the investigation as per the Letter of the petitioner dt.17/11/2022 and harassing the petitioners at the instance of Respondent Nos.5 to 7 as illegal, arbitrary, unconstitutional, vindictive and contrary to the Provisions of Cr.P.C. and consequently direct the Respondent Nos.2 to 4 to forthwith proceed with the investigation as against the unofficial Respondent Nos.5 to 7 in Crime No.59/2022 on the file of the 4th respondent without harassing the petitioners to produce any other documents which are not in the custody of the petitioners;

IA NO: 1 OF 2022

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 Respondent Nos.2 to 4 to forthwith proceed with the investigation as against the unofficial Respondent Nos.5 to 7 in Crime No.59/2022 on the file of the 4th respondent without harassing the petitioners to produce any other documents which are not in the custody of the petitioners, pending disposal of the above writ petition;

Counsel for the Petitioners: SRI. KIRANMAYEE SANDEPUDI

Counsel for the Respondents R1 TO R4: AGP FOR HOME

Counsel for the Respondent R5: SRI. V.V.RAMANA LEARNED COUNSEL

Counsel for the Respondents R6 & R7: SRI VEDULA SRINIVAS LEARNED SENIOR COUNSEL RESP SRI VEDULA CHITRALEKHA

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE B. VIJAYSEN REDDY

WRIT PETITION No.43369 OF 2022

ORDER :

The grievance of the petitioners is that the police had been threatening them to withdraw the complaint in Crime No.59 of 2022 of Begumpet Police Station, Hyderabad, registered against the unofficial respondents for the offences under Sections 406 and 420 read with Section 34 of Indian Penal Code and Section 3 (1) (x) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.

2. Heard learned counsel for the petitioners, the learned Assistant Government Pleader for Home appearing for respondent Nos.1 to 4, Mr. V.V.Ramana, learned counsel for respondent No.5, and Mr. Vedula Srinivas, learned Senior Counsel representing Ms. Vedula Chitralekha, learned counsel for respondent Nos.6 and 7, and perused the material available on record.

3. In the written instructions dated 14.12.2022 received by the learned Assistant Government Pleader for Home, it is stated that investigation in Crime No.59 of 2022 of Begumpet Police Station, Hyderabad, had been completed and, after obtaining permission from the higher officials, charge sheet will be filed.

4. As it is stated that investigation is completed in Crime No.59 of 2022 of Begumpet Police Station and charge sheet will be filed after obtaining permission from higher officials, the writ petition is closed as no further orders are required to be passed.

As a sequel thereto, miscellaneous applications, if any, pending in this writ petition stand closed. No order as to costs.

SD/- MOHD. SANAULLAH ANSARI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. One CC to SRI. KIRANMAYEE SANDEPUDI Advocate [OPUC]
2. One CC to SRI. V.V.RAMANA, Advocate [OPUC]
3. One CC to SRI. SRI VEDULA CHITRALEKHA, Advocate [OPUC]
4. Two CCs to GP FOR HOME, High Court for the State of Telangana, Hyderabad. [OUT]
5. Two CD Copies

HIGH COURT

BVRJ

DATED: 22/12/2022

ORDER

WP.No.43369 of 2022



WRIT PETITION IS CLOSED OF WITHOUT COST