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

WEDNESDAY, THE SEVENTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SMT JUSTICE TANGIRALA MADHAVI DEVI

WRIT PETITION NO: 33772 OF 2026

Between:

1. Asma Begum, W/o Mohd Ahmed Ali age. 26 yrs, occ . Household r/o 7-1-42/c, New Prem Nagar , Mahabub Nagar , Telangana 509001.
2. Mohd Ahmed Ali, S/o Waheed Ali, age. 38 yrs occ . Driver , R/o 7-1-42/c, New Prem Nagar , Mahabub Nagar , Telangana 509001.

...PETITIONERS

AND

1. The State of Telangana, rep.by its Principal Secretary, Home Department, Secretariat Buildings, Hyderabad.
2. The Commissioner of Police, Hyderabad. Jublee hills, Hyderabad.
3. The Deputy Commissioner of Police, Khairtabad Zone , Hyderabad.
4. The Station House Officer, Police Station Lake, Hyderabad Dist.

...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 direction more particularly one in the nature of WRIT OF MANDAMUS, declaring the action of the 4th respondent for illegally summoning the petitioner to Police Station and harassing the Petitioner without any registration of FIR and continuing the same as illegal, improper, arbitrary and in violation of 19 and 21 of Constitution of India and consequently direct the respondent no 4 not to insist on the personal appearance of the Petitioner except in accordance with law and without registration of a FIR and follow due procedure of law.

I.A. NO: 1 OF 2026

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 no 4 not to insist on the personal appearance of the Petitioner except in accordance with law and without registration of a FIR and follow due procedure of law and pass such other order or orders as this Hon'ble Court , pending disposal of the above writ petition.

Counsel for the Petitioner: Ms.PRIYANKA CHOWDARY FOR SRI MOHD ILYAS AHMED

Counsel for the Respondents: SRI MAHESH RAJE, GP FOR HOME

The Court made the following: ORDER

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THE HON'BLE SMT.JUSTICE TANGIRALA MADHAVI DEVI

WRIT PETITION No.33772 of 2026
(CNR No. HBHC010692072026)

DATE: 07.10.2026

Between:

Asma Begum and another ... Petitioners

AND

The State of Telangana and others ... Respondents

:: ORDER ::

Alleging that the respondent police are summoning the petitioners to the police station without there being any FIR registered against them, the present writ petition has been filed.

2. Heard Ms. Priyanka Chowdary, learned counsel representing Mr. Mohd. Ilyas, learned counsel for the petitioners, and Sri Mahesh Raje, learned Government Pleader for Home, appearing for respondents No.1 to 4.

3. The learned Government Pleader for Home, on written instructions, submitted that a complaint was received on 29.09.2026

and that, after a preliminary enquiry, an FIR has been registered as Crime No.134 of 2026 under Section 305 of the BNS and that as part of the investigation, the petitioners have been called to the police station. The allegation that the petitioners are being called to the police station without there being any case registered against them is, therefore, denied. Copies of the statements of the witnesses have also been filed along with the written instructions. The learned Government Pleader for Home also submitted that, since it is a case of theft, custodial interrogation is necessary and, therefore, notice under Section 35(3) of the BNSS cannot be issued in this case.

4. The learned counsel for the petitioners, however, submitted that no woman constable was present when the petitioners were summoned to the police station and that there are no CCTV cameras on the first floor of the police station.

5. Taking the same into consideration, the respondent police are directed to strictly follow the law and, if necessary, interrogate the petitioner No.1 only in the presence of a woman constable.

6. Accordingly, the writ petition is disposed of. There shall be no order as to costs.

Miscellaneous applications, if any, pending shall stand closed.

Sd/-K.BHAVANI SWAMY
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Home Department, Secretariat Buildings, Hyderabad.
2. The Commissioner of Police, Hyderabad. Jublee hills, Hyderabad.
3. The Deputy Commissioner of Police, Khairtabad Zone , Hyderabad.
4. The Station House Officer, Police Station Lake, Hyderabad Dist.
5. One CC to SRI MOHD ILYAS AHMED, Advocate [OPUC]
6. Two CCs to GP FOR HOME, High Court for the State of Telangana, at Hyderabad [OUT]
7. Two CD Copies

PMK

HIGH COURT

CC TODAY

DATED: 07/10/2026

ORDER

WP.No.33772 of 2026



DISPOSING OF THE WRIT PETITION

WITHOUT COSTS

9/10/26