

IN THE HIGH COURT OF JUDICATURE OF
ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MR. JUSTICE D.S.R.VARMA
AND
THE HON'BLE MR. JUSTICE D.APPA RAO

TAKEN UP WRIT PETITION NO. 5168 OF 2007

Dated : March 26, 2007

Between:

Smt. Varakala Mannema

Petitioner

AND

The Station House Officer,
Narayanapur Police Station, Narayanapur,
Nalgonda District and others.

Respondents

THE HON'BLE MR. JUSTICE D.S.R.VARMA
AND
THE HON'BLE MR. JUSTICE D.APPA RAO

TAKEN UP WRIT PETITION NO. 5168 OF 2007

ORAL ORDER: (per THE HON'BLE MR. JUSTICE D.APPA RAO)

Heard the learned Government Pleader for Home, representing the learned Advocate General, appearing for the respondents.

2. This writ petition is taken up on the basis of a petition dated 27.02.2007 sent by Smt. Varakala Mannema, mother of the alleged detenu by name V. Mallesh and V. Chennakesavulu, alleging that the police Narayanpur, have detained her two sons for several times and harassing their family members to know the whereabouts of her two sons, who absconded on 18.02.2007 and also pressurizing them to admit the false theft case.

3. The Sub-Inspector of Police, Narayanpur Police Station, Nalgonda district, filed counter affidavit stating that earlier, the father of the alleged detenu sent a letter to this Court, which was registered as Taken Up Writ Petition No. 25667 of 2006, making the very same allegations and this court after considering various contentions dismissed the writ petition imposing costs of Rs.2,000/-, but no costs whatsoever have been paid so far.

4. Now, again the mother of the alleged detenu has come up with the present petition making the very same allegations. It is further stated that neither any complaint

was made against the alleged detenu nor they were arrested at any time, but they are moving freely in the village. To this effect, a certificate issued by the Village Secretary, Theratupally, Chandur Mandal, is enclosed to the counter, which shows that both the alleged detenu were moving freely in the village and they are not in the Police Station.

5. Considering the fact that father of the alleged detenu had earlier filed a Writ Petition against the police, which was dismissed by this court imposing costs of Rs.2,000/- for making allegations without basis and since the mother of the alleged detenu has forwarded the present petition, alleging the very same harassment, at the hands of police, which the police disowned in their counter and also having regard to the fact that the alleged detenu are very much present in the village, which is certified by the Village Secretary, Thertatupally village, we do not see any justifiable ground to entertain the writ petition. Therefore, in view of these revelations made in the counter affidavit we do not see any merit in the allegations levelled in the writ petition.

5. Consequently, the writ petition fails and is accordingly dismissed at the stage of admission. However, there shall be no order as to costs.

D.S.R.Varma, J.

D.Appa Rao, J.

March 26, 2007
MAS