

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

**TUESDAY, THE THIRTY FIRST DAY OF OCTOBER
TWO THOUSAND AND TWENTY THREE**

PRESENT

THE HONOURABLE SRI JUSTICE C.V. BHASKAR REDDY

WRIT PETITION NO: 28244 OF 2023

Between:

Syed Riyan, S/o. Syed Khaja, Aged 23 Years, Occ. Driver, R/o. H. No. 3-3-58/1, Sagar Road, Peddapally Town, Peddapally District.

AND

1. The State of Telangana, Rep. by its Principal Secretary, Home Department, Secretariat, Hyderabad
2. The Commissioner of Police, Ramagundam Police Commissionerate, Ramagundam.
3. The Station House Officer, Peddapally Police Station, Peddapally, Peddapally District.
4. The Station House Officer, Kaghaznagar Police Station, Kaghaznagar, KBM Asifabad District.

...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 of Mandamus or any other Writ, order or orders, direction or directions, to direct the Respondent 2 to 4, to consider to give clearance/Permit the Petitioner to go to Saudi Arabia, for the job purpose, and the Petitioner is ready and willing to abide by any conditions that may be imposed by them during this process

IA NO: 1 OF 2023

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 2 to 4, to consider to give clearance/Permit the Petitioner to go to Saudi Arabia, for the job purpose, pending disposal of the main writ petition

Counsel for the Petitioner: SRI. ARUN KUMAR DODDLA

Counsel for the Respondents: AGP FOR HOME

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE C.V.BHASKAR REDDY

WRIT PETITION No.28244 of 2023

ORDER:

The case of the petitioner is that his sister-in-law has lodged a complaint dated 09.09.2022 against the petitioner and his brother and the same has been registered as Crime No.209 of 2022 for the offences punishable under Section 498-A of IPC and Sections 3 and 4 of Dowry Prohibition Act, wherein he has been arrayed as accused No.5.

The grievance of the petitioner in this writ petition is that the respondents police are not filing any charge sheet in connection with the said crime nor permitting him to go abroad for eking out his livelihood.

Learned Assistant Government Pleader for Home submits that acting on the complaint submitted by the sister-in-law of the petitioner, Crime No.209 of 2022 has been registered against the petitioner and other accused for the offences punishable under Sections 498-A of IPC and Sections 3 and 4 of Dowry Prohibition Act and after concluding the investigation, the respondents police have also filed charge sheet.

In view of the said submission that the respondents police have already filed charge sheet in connection with Crime No.209

of 2022, this Court is of the opinion that the petitioner is entitled to file an appropriate application before the concerned Court seeking permission to travel abroad, as the respondents police are not having any power or authority to grant permission to the petitioner to go abroad.

Therefore, the writ petition is disposed of leaving it open to the petitioner to file appropriate application seeking permission to go abroad before the concerned Court, which in turn is directed to consider and dispose of the same within a period of four weeks from the date of receipt of such application.

Pending miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

**SD/- K.SREERAMA MURTHY
ASSISTANT REGISTRAR
//TRUE COPY//
SECTION OFFICER**

To,

1. The Principal Secretary, Home Department, Secretariat, T.S., Hyderabad
2. The Commissioner of Police, Ramagundam Police Commissionerate, Ramagundam.
3. The Station House Officer, Peddapally Police Station, Peddapally, Peddapally District.
4. The Station House Officer, Kaghaznagar Police Station, Kaghaznagar, KBM Asifabad District.
5. Two CCs to GP FOR HOME ,High Court for the State of Telangana, at Hyderabad [OUT]
6. One CC to SRI. ARUN KUMAR DODDLA, Advocate [OPUC]
7. Two CD Copies

B M
GJP

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HIGH COURT

DATED:31/10/2023

ORDER

WP.No.28244 of 2023



**DISPOSING OF THE WRIT PETITION
WITHOUT COSTS**

(10) Copies
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7/11/23