

HIGH COURT OF ANDHRA PRADESH::AT AMARAVATI

MAIN CASE No. W.P.No.24785 of 2016

PROCEEDING SHEET

Sl. No	DATE	ORDER	OFFICE NOTE
	26.09.2025	<u>DEV,J</u> The case of the petitioner is that the 3rd respondent i.e., the Station House Officer, Central Crime Police Station, Kurnool, Kurnool District detained him in his custody without registering any crime against him and not responding to the complaint given on 12.07.2016 to the 2nd respondent and also threatening the petitioner with dire consequences. In the counter affidavit filed by the Superintendent of Police, Kurnool, Kurnool District i.e., the 2nd respondent herein, it is stated that basing on the complaint made by the petitioner, a case in Crime No.167 of 2016 has been registered on 20.07.2016 under Section 323 r/w.34 of IPC on the file of the Kurnool II Town Police Station, Kurnool District against the police and others and it is pending for investigation.	

		Today, during the course of hearing, learned Assistant Government Pleader appearing for Respondent Nos.1 to 3 on written instructions would submit that after completion of the investigation it is found that the allegations made by the petitioner are false and accordingly the case was referred as “false” on the proceedings of the Sub Divisional Police Officer, Kurnool <i>vide</i> C.No.308 of 2018, dated 15.07.2018. Learned counsel for the petitioner would submit that there is no truth in the submission of Respondent Nos.1 to 3 that they never detained the petitioner and beat the petitioner to admit the guilt. Due to the action of the police personnel who are impleaded as Respondent Nos.4 to 10 in their personal capacity, the petitioner admitted in the Government Hospital, Guntakal, Anantapur on 28.06.2016 and he is suffering till today due to the injuries sustained on the day of detention of the petitioner by the police personnel. There is no material placed on record by Respondent Nos.2 and 3 to satisfy the Court whether the case registered basing on the complaint	
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made by the petitioner is closed by the competent jurisdictional Magistrate by following the procedure or not.

Considering the facts and circumstances of the case, this Court has to look into the procedure being followed by the police in referring the case in Crime No. 167 of 2016 on the file of the II Town Police Station, Kurnool, Kurnool District which was registered basing on the complaint of the petitioner about his detention “as false” for proper adjudication of the issue involved in this Writ Petition.

Accordingly, Respondent Nos.2 and 3 are directed to produce the original records pertaining to Crime No.167 of 2016 on the file of the II Town Police Station, Kurnool, Kurnool District and also original file pertaining to the proceedings issued by the Sub-Divisional Police Officer, Kurnool *vide* C.No.308 of 2018, dated 15.07.2018 before this Court on the next date of hearing.

Post on 10.10.2025.

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DEV, J

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