

HIGH COURT OF ANDHRA PRADESH::AT AMARAVATI

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

PROCEEDING SHEET

Sl. No	DATE	ORDER	OFFICE NOTE
	10.10.2025	<u>DEV,J</u> In compliance of the order of this Court, dated 26.09.2025, the learned Government Pleader for Home has placed the case file docket sheet pertaining to Crime No. 167 of 2016 on the file of the II Town Police Station, Kurnool, Kurnool District. On perusal of the same, it appears that basing on the report submitted by the Sub-Inspector of Police, Kurnool II Town Police Station seeking permission to refer the complaint of the petitioner in F.I.R.No.167 of 2016 as “false”, the Sub-Divisional Police Officer, Kurnool accorded permission <i>vide</i> proceedings in C.No.308/SDPO-K/2018, dated 15.07.2018, to refer the case as “false”. No material is placed before us through this record that subsequent to granting approval by the Sub-Divisional Police Officer, Kurnool to refer the case as “false”, whether the same is submitted to the concerned Judicial Magistrate as provided under law	

		or not. As per the learned counsel for the petitioner, no notice was issued to the petitioner either by the police people or by the concerned Judicial Magistrate on this aspect. According permission by the Sub-Divisional Police Officer to refer the case as false is not sufficient to close the case. Proper Judicial proceedings has to be initiated by the concerned Judicial Magistrate by following Cr.P.C. In the absence of sufficient material before us, we are not accepting the contention of the learned Government Pleader for Home that the case in Crime No.167 of 2016 on the file of the II Town Police Station, Kurnool has been closed. Considering the submissions of the learned counsel for the petitioner and the material available on record including the original case file docket sheet placed before this Court, this Court is of the <i>prima-facie</i> opinion that there is a truth in the contention of the learned counsel for the petitioner that the petitioner was detained by the 3rd respondent and was beaten during his detention. This Court intends to take this matter seriously.	
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As directed by this Court on 26.09.2025, the original file pertaining to the proceedings issued by the Sub-Divisional Police Officer, Kurnool *vide* C.No.308 of 2018, dated 15.07.2018 is not produced before this Court.

In view of the same, Respondent Nos.2 and 3 are directed to appear before this Court on the next date of hearing with all original records to show whether Crime No.167 of 2016 on the file of II Town Police Station, Kurnool is pending as on date or closed by following due process of law.

Post on 17.10.2025.

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DEV, J

