

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

FRIDAY, THE TWELFTH DAY OF JANUARY
TWO THOUSAND AND TWENTY FOUR

:PRESENT:

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

WRIT PETITION NO: 1339 OF 2024

Between:

Shaik Abdul Firdouse, S/o. Late. Sri. Shaik Abdul Khalid

Petitioner

AND

1. The State of Telangana, Rep by its Principal Secretary Home Department, New Secretariat, Tank Bund, Hyderabad, TS.
2. The Commissioner of Police, Hyderabad City, T.S.
3. The Deputy Commissioner of Police, South East Zone, Hyderabad, T.S.
4. The Deputy Commissioner of Police (Traffic), Traffic South East Zone, Hyderabad.
5. The Station House Officer, Traffic P.S Chandrayangutta, Hyderabad.
6. The Asst. Commissioner of Police, Chandrayangutta Division, Hyderabad, T.S.
7. The Station House Officer, Kanchanbagh Police Station, Hyderabad, T.S.

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 an appropriate Writ, order or direction more particularly one in the nature of "WRIT OF MANDAMUS" declaring the action of Respondent No. 7 i.e., S.H.O P.S Kanchanbagh, Hyderabad as being illegal, arbitrary, unjust and blameworthy in falsely implicating the brother of petitioner in Cr. No. 1 of 2024 for the alleged offence U/s. 8 (c) r/w. 20(b)(ii)(c) of NDPS Act by creating a false story, and consequently direct the R-7 to produce the CCTV recordings of the Police Station Kanchanbagh, Hyderabad dated 31/12/2023 & 01/01/2024 and the CCTV recordings of cameras of the Kanchanbagh P.S installed on the main Road of Pisalbanda X Road dated 01/01/2024 from 10.00 A.M to 01.30 P.M without deleting it, before this Hon'ble Court for the purpose of fair and transparent investigation and further direct the Respondent No. 4 & 5 to produce the CCTV recordings of traffic Police cameras of Chandrayangutta Traffic P.S installed on the main road of Pisalbanda X Road, Kanchanbagh Hyderabad dated 01/01/2024 from 10.00 A.M to 01.30 P.M without deleting it before this Hon'ble Court;

IA NO: 1 OF 2024

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 to 7 to preserve the CCTV recordings of the Police Station Kanchanbagh, Hyderabad dated 31/12/2023 & 01/01/2024 and the CCTV recordings of cameras of the

Kanchanbagh P.S installed on the main Road of Pisalbanda X Road dated 01/01/2024 from 10.00 A.M to 01.30 P.M without deleting it and produce them before this Hon'ble Court for perusal and the purpose of fair and transparent investigation, Pending disposal of WP 1339 of 2024, on the file of the High Court;

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of M/s Mohd Junaid Ahmed Advocate for the Petitioner and GP FOR HOME for the Respondents, the Court made the following.

ORDER:

Learned Assistant Government Pleader for Home accepts notice on behalf of the respondents and seeks time to file counter affidavit.

The case of the petitioner is that his brother, by name Shaik Abdul Faisal, was detained by the respondents police on 31.12.2023 by falsely implicating him in FIR No.1 of 2024, registered for the offences punishable under Sections 8(c) & 20 (b)(ii)(c) of the Narcotic Drugs And Psychotropic Substances, Act, 1985. It is the further case of the petitioner that even though his brother was detained on 31.12.2023, he was produced before the concerned Magistrate on 02.01.2024. According to the petitioner, since his brother was illegally detained/confined for three days, the respondents police are not only liable for payment of compensation and damages, but also liable for initiation of disciplinary action for violation of the procedure contemplated under the Criminal Procedure Code as well as the guidelines issued by the Hon'ble Supreme Court.

In the circumstances, pending further orders, there shall be interim direction to respondent Nos.4 to 7 to preserve the CCTV recordings of the police Station Kanchanbagh, Hyderabad, dated 31.12.2023 & 01.01.2024 and the CCTV recordings of cameras of the Kanchanbagh Police Station installed on the main Road of Pisalbanda X Road dated 01.01.204 from 10:00 AM to 01:30 PM without deleting it, for the purpose of fair and transparent investigation.

List this case on 16.02.2024.

SD/- T. VIJAY KUMAR
ASSISTANT REGISTRAR

//TRUE COPY//



SECTION OFFICER

To,

1. The Principal Secretary Home Department, New Secretariat, State of Telangana, Tank Bund, Hyderabad, TS.
2. The Commissioner of Police, Hyderabad City, T.S.
3. The Deputy Commissioner of Police, South East Zone, Hyderabad, T.S.
4. The Deputy Commissioner of Police (Traffic), Traffic South East Zone, Hyderabad.
5. The Station House Officer, Traffic P.S Chandrayangutta, Hyderabad.
6. The Asst. Commissioner of Police, Chandrayangutta Division, Hyderabad, T.S.
7. The Station House Officer, Kanchanbagh Police Station, Hyderabad, T.S.
(Addresses 1 to 7 by RPAD)
8. One CC to M/s Mohd Junaid Ahmed, Advocate [OPUC]
9. Two CCs to GP FOR HOME, High Court at Hyderabad. [OUT]
10. One spare copy

HIGH COURT

CVBR, J

DATED:12/01/2024

NOTE: LIST THIS CASE

ON 16.02.2024.

ORDER

WP.No.1339 of 2024



INTERIM DIRECTION