



2025:TSHC:8671

HIGH COURT FOR THE STATE OF TELANGANA HYDERABAD**MAIN CASE No: CrI.P.No.893 of 2025****PROCEEDING SHEET**

Sl. No.	DATE	ORDER	OFFICE NOTE
2.	03.02.2025	<u>JAK, J</u> Learned counsel for petitioner contended that Magistrate can take cognizance of an offence on a complaint and shall examine on oath the complaint and the substance of such examination shall be reduced into writing. It is also contended that as per the law laid down in <i>Mrs. Priyanka Srivastava and Another v. State of U.P. and Others</i> reported in 2015 (6) SCC 287, an affidavit needs to be accompanied along with the complaint and it is only on such affidavit being filed along the complaint, the Magistrate is empowered to direct investigation and that in the present case, as required, an affidavit has not been filed along with the complaint. Learned Assistant Public Prosecutor for respondent – State is directed to get instructions as to whether an affidavit is annexed along with the complaint as laid down in the judgment of the Apex Court’s judgment in <i>Mrs. Priyanka Srivastava</i> (supra). Post the matter on 10.02.2025. JAK, J KH	Tr. to I.O. folder before corrections, if any.



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