

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

**FRIDAY, THE THIRTY FIRST DAY OF OCTOBER
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HONOURABLE SRI JUSTICE N.TUKARAMJI

WRIT PETITION NO: 10583 OF 2018

Between:

1. Smt. M.V. P Kalyani, W/o. K.V. Prabhakar Rao, Aged.54 yrs, Occ. Govt Teacher, R/o H. No. 3-89, Patharlapadu (V), Tirumalayapalem (M), Khammam District
2. Sri. K.V. Prabhakar Rao, S/o. K. Varavara Rao, Aged. 64 yrs, Occ. Retd Service, R/o H. No. 3-89, Patharlapadu (V), Tirumalayapalem (M), Khammam District
3. Sri. K.V.B.K. Sharma, S/o K.V. Prabhakar Rao, Aged. 32 yrs, Occ. Software Engineer, R/o Flat No. 103, Balaji Residency, Rajeev Gandhi Nagar, Bachupally, Hyderabad.

...PETITIONERS

AND

1. The State of Telangana, Rep by its Principal Secretary (Home) Department Secretariat Hyderabad
2. The Commissioner of Police Cyberabad, Cyberabad commissionerate, at Gachibowli, RR District
3. The Deputy Commissioner of Police, Madhapur Zone, Cyberabad commissionerate at Gachibowli, RR District
4. The Assistant Commissioner of Police, Kukatpally, Cyberabad commissionerate at Kukatpally, RR District
5. The Station House Officer, K.P.H.B. Police station, Cyberabad commissionerate RR District
6. The Station House Officer, Miyapur Police station, Cyberabad commissionerate at Miyapur, RR District
7. The Station House Officer, Cybercrimes Police station, Cyberabad Commissionerate, at Gachibowli, RR District
8. K.N.V. Kiranmayee, W/o. K.V.B.K. Sharma, D/o K.V. Narayana, Age. 30 yrs, Occ. Homeopathy Doctor, R/o MIG-87/1, KPHB Road No.1, KPHB Colony, Hyderabad
9. K.V. Narayana, S/o K. Hanumanth Rao, Age. 64 yrs, Occ. Advocate, R/o MIG-87/1, KPHB Road No.1, KPHB Colony, Hyderabad

10. V. Prameela Rani, W/o. K.V. Narayana, Age. 63 yrs, Occ. Retd Govt. Employee, R/o MIG-87/1, KPHB Road No.1, KPHB Colony, Hyderabad
11. Sri Bhujanga Rao, S/o. Not known to the petitioners, Age. Major, Occ. Asst Commissioner of police, Kukatpally, R/o. C/o. ACP Office Kukatpally RR District
12. Sri D. Mahesh, S/o. Not known to the petitioners, Age. Major, Occ. SI of police, KPHB, Police Station Kukatpally, RR District
13. Sri T. Sridhar, S/o. Not known to the petitioners, Age. Major, Occ. SI of police, KPHB, Police Station Kukatpally RR District
14. Sri Srikanth Goud, S/o. Not known to the petitioners, Age. Major, Occ. C. I of police, KPHB, Police Station Kukatpally RR District
15. Sri Sudhershnan Reddy, S/o. Not known to the petitioners, Age. Major, Occ. C. I of police, Cyber Crimes Cyberabad commissionerate, at Gachibowli, RR District
16. Sri Vijayawardhan Reddy, S/o. Not known to the petitioners, Age. Major, Occ. S. I of police, Cyber Crimes Cyberabad commissionerate, at Gachibowli, RR District
17. Sri Siddeshwar, (unidentified Person), S/o. Not known to the petitioners, Age. Major, Occ. Not known to the petitioners, Commissioner of Police office / Cyber Crimes Police Station, Cyberabad Commissionerate, at Gachibowli, RR 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 direction declaring the high handed action of the respondents No. 11 to 17 in the capacity of respondent No. 4 to 7 foisting the false, frivolous, fabricated series of cases in routine manner with the influence of the respondent No. 8 to 10 is as arbitrary, improper, illegal, injustice, abuse of process of Law, violating the natural justice and personal liberty guaranteed by the Article 21 of constitution of India with Consequential relief as call for the records pertaining to the foisting false case registered by the police under influence and for settlement the matrimonial case under guise of FIR No. 752 of 2017 Dated. 09.06.2017 PS KPHB, U/S 354-D IPC is declare as illegal null and void and as foisted false case as a abuse of process of law non- est of Law, Further direction to the respondent No.2 to take proper action as per the representation Dated.5-3-2018 against the Respondents No. 8 to 17 while according protection to the petitioners from the respondents including foisting /registration of further false series of cases.

IA NO: 1 OF 2018

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 stay of all the proceedings of investigation in FIR No. 752 of 2017 Dated. 09.06.2017 PS KPHB, U/s 354D IPC including arrest and foisting /registration of further false series of cases, pending disposal of the above writ petition.

Counsel for the Petitioner: MS G.V.S.SRUTHI, REP SRI. G L NARASIMHA RAO

Counsel for the Respondents No 1 To 7: SRI D. PRADEEP, AGP FOR HOME

Counsel for the Respondent No 8 To 17: ---

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE N.TUKARAMJI

WRIT PETITION No. 10583 OF 2018

ORDER:

This Writ Petition is filed under Article 226 of the Constitution of India seeking the following relief:

"...to issue a writ, order or direction more particularly one in the nature of writ of mandamus declaring the high handed action of the respondents No. 11 to 17 in the capacity of respondent No. 4 to 7 foisting the false, frivolous, fabricated series of cases in routine manner with the influence of the respondent No. 8 to 10 is as arbitrary, improper, illegal, injustice, abuse of process of Law, violating the natural justice and personal liberty guaranteed by the Article 21 of constitution of India with consequential relief as call for the records pertaining to the foisting false case registered by the police under influence and for settlement the matrimonial case under guise of FIR No. 752 of 2017 Dated. 09.03.2017 PS KPHB, U/S 354-D IPC is declare as illegal null and void and asfoisted false case as abuse of process of law non-sense of Law , Further direction to the respondent No.2 to take proper action as per the representation Dated.5-3-2018 against the Respondents No. 8 to 17 while according protection to the petitioners from the respondents including foisting /registration of further false series of cases and to pass..."

2. Heard Ms.G.V.S.S.Sruthi, learned counsel representing Mr.G.L.Narasimha Rao, learned counsel for the petitioners and Heard Mr.D.Pradeep, learned Assistant Government Pleader for Home appearing for respondents No.1 to 7.

3. Learned counsel for the petitioners submits that the respondents/police authorities registered Crime No. 752 of 2017 under the influence of the unofficial respondents, and as they are pressuring

the petitioners to reach a settlement in the said crime, the present petition has been filed seeking appropriate directions.

4. Learned Assistant Government Pleader for Home submits that, upon completion of the investigation in Crime No. 752 of 2017, a charge sheet was filed, and the case has been taken on file as Calendar Case No. 512 of 2021 before the learned XVI Additional Judicial Magistrate of First Class, Kukatpally. The matter is presently pending trial. Therefore, the contention of the petitioners no longer survives for consideration.

5. I have perused the material available on record.

6. The contention of the petitioners is that a false case has been foisted against them. However, the development reported by the learned Assistant Government Pleader clearly indicates that the investigating agency, after due investigation, found a *prima facie* case warranting trial, filed a charge sheet, and that the competent Court has taken cognizance and framed charges. This sequence of events demonstrates that there exists sufficient *prima facie* material to proceed with the trial, and hence, the allegation of a false case being foisted is unfounded.

7. In view of the above factual position, while reserving the right of the petitioners to avail appropriate remedies and raise all available defences in accordance with law before the trial Court, this Writ Petition is disposed of. There shall be no order as to costs.

Pending miscellaneous applications, if any, shall stand closed.

//TRUE COPY//

Sd/- M. OSMAN ALI BAIG
ASSISTANT REGISTRAR

SECTION OFFICER

To,

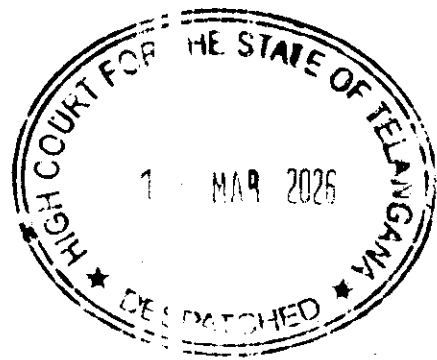
1. The Principal Secretary (Home) Department State of Telangana, Secretariat Hyderabad
2. The Commissioner of Police Cyberabad, Cyberabad commissionerate, at Gachibowli, RR District
3. The Deputy Commissioner of Police, Madhapur Zone, Cyberabad commissionerate at Gachibowli, RR District
4. The Assistant Commissioner of Police, Kukatpally, Cyberabad commissionerate at Kukatpally, RR District
5. The Station House Officer, K.P.H.B. Police station, Cyberabad commissionerate RR District
6. The Station House Officer, Miyapur Police station, Cyberabad commissionerate at Miyapur, RR District
7. The Station House Officer, Cybercrimes Police station, Cyberabad Commissionerate, at Gachibowli, RR District
8. One CC to SRI. G L NARASIMHA RAO Advocate [OPLC]
9. Two CCs to GP FOR HOME, High Court for the State of Telangana. [OUT]
10. Two CD Copies

BSK

[Signature]

HIGH COURT

DATED:31/10/2025



ORDER

WP.No.10583 of 2018

**DISPOSING THE WRIT PETITION
WITHOUT COSTS**

(13) MT
24/2/26