

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

**FRIDAY, THE TWENTY SECOND DAY OF AUGUST
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HONOURABLE SRI JUSTICE N.V.SHRAVAN KUMAR

WRIT PETITION NO: 24486 OF 2025

Between:

1. Rahul Gaikwad, S/o. Ramesh Gaikwad, Aged about 24 years occ- Law Student, R/o.H.No.8-3-720/14, Om Gaikwad Nivas, Subash Nagar, Yellareddyguda, Ameerpet, Hyderabad.
2. Ramesh Gaikwad, S/o. Late Hanmanth Rao, Aged- 55 years, Occ- Business, R/o.H.No.8-3-720/14, Om Gaikwad Nivas, Subash Nagar, Yellareddyguda, Ameerpet, Hyderabad.

...PETITIONERS

AND

1. The State of Telangana, Rep. by its Principal Secretary, Department of Home, Secretariat Buildings, Hyderabad
2. The Commissioner of Police, Command and Control Centre, Telangana Police, Road No.12, Banjarahills Hyderabad.
3. The Deputy Commissioner of Police, West Zone, AC Guards, Masab Tank, Hyderabad-28.
4. The Station House Officer, Panjagutta Police Station, Hyderabad City police, Hyderabad-500082.
5. The Sub Inspector of Police, Panjagutta Police Station, Hyderabad City police, Htglerabad-500082.
6. G.Naresh, S/o. Not Known, Aged not known to the petitioner, Occ- Sub Inspector of Police, Panjagutta Police Station, Hyderabad City Hyderabad-500082.
7. Smt.B.Kanaka Durga, W/o. Vara Prasad Rao Aged about 51 years, occ- Household, R/o.H.No.7-170, Flat No.2/1, Arunodaya Apartment, Dharam Karam Road, Ameerpet, Hyderabad.

...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 any order or orders or direction, Writ or Writs more particularly one in the nature of a WRIT OF MANDAMUS declaring the action of the

Respondents No.4 to 6 in detaining of petitioners on 14.08.2025 from 01-00pm to 6-00pm at Panjagutta Police Station and using abusive language, and threatening the petitioners to send to the Charlapally or Chanchalguda Jail, is as illegal, arbitrary and malafide and also violation of principles of natural justice and also violation of Article 21 of Constitution of India, and contrary to the orders of this Hon'ble Court passed in CRLP.No.8688/2021 and CRLP.No.9856/2021, and also contrary to the Judgment of Honorable Apex Court held in Arnesh Kumar vs State of Bihar.

IA NO: 1 OF 2025

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 Respondents No.4 and 5 to preserve and produce the C.C.T.V. footage with Audio covering all entry and exit points, corridors and rooms from 01:00 pm to 06:00 pm on 14.08.2025 of panjagutta Police Station, Hyderabad, before this Honble Court, pending disposal of the above writ petition in the interest of justice.

IA NO: 2 OF 2025

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 Respondents No.4 and 5 not to take any coercive steps including the arrest or detention of the petitioners in Crime No.519/2021 dt.11.11.2021 of Police Station Panjagutta, Hyderabad, pending disposal of the above Writ Petition in the interest of justice and equity.

Counsel for the Petitioner: SRI CH.JANARDHAN REDDY

Counsel for the Respondent No.1 to 5: AGP FOR HOME

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE N.V.SHRAVAN KUMAR

WRIT PETITION No.24486 of 2025

ORDER:

Heard learned counsel for the petitioner and learned Assistant Government Pleader for Home appearing for respondent Nos.1 to 5. Notice to respondent Nos.6 and 7 are hereby dispensed with. With their consent, this writ petition is being taken up for disposal at the admission stage itself.

2. This writ petition has been filed seeking the following prayer:-

“...declaring the action of the Respondent Nos.4 to 6 in detaining the petitioners on 14.08.2025 from 01.00 pm to 6.00 pm at Panjagutta Police Station and using abusive language and threatening the petitioners to send to the Charlapally or Chanchalguda Jail as illegal, arbitrary and malafide and also violation of principles of natural justice and also violation of Article 21 of Constitution of India and contrary to the orders of this Honble Court passed in CRL.P.Nos.8688/2021 and CRL.P.No.9856/2021 and also contrary to the Judgment of Honorable Apex Court held in Armesh Kumar vs. State of Bihar...”

3. Brief facts stated in this writ petition are that petitioner Nos.1 and 2 are son and the father and that petitioner No.2 (i.e., the father of petitioner No.1) claims to be absolute owner of the property bearing No.8-3-720/15/1/A, admeasuring 96 sq.yds., situated at Subash Nagar, Ameerpet, Hyderabad by virtue of

Notarized Agreement of Sale dated 15.11.2007 executed by its original owner on receipt of a sale consideration of Rs.15,00,000/- on 15.11.2007, as such petitioner No.2 was in peaceful possession. Thereafter, petitioner No.2 executed gift deed on 31.07.2019 in favour of petitioner No.1, as such petitioner No.1 is in peaceful possession of the said property. While so, respondent No.7 filed a false complaint on 09.11.2021 before Punjagutta Police Station against the petitioners and on such complaint the Punjagutta Police registered Crime No.519/2021 under Section 420, 468, 471, 506 read with 34 of IPC on 11.11.2021 against the petitioners without verifying the relevant documents pertaining to the said property. Basing on the said complaint, petitioners were illegally detained in the Punjagutta police station for 5 hours by using abusive language. Questioning the same the present writ petition is filed.

4. Learned Assistant Government Pleader for Home appearing for respondents placed on record instructions issued by Sub-Inspector of Police, Punjagutta P.S, wherein it is stated that one Mr.Ram Mohan Reddy and Mr.Venkata Ramana are working in SSL Infra Company and had given complaint on 13.08.2025 against petitioner No.2 who demanded them to pay money by abusing their employees and also threatened to kill

their employees. Basing on the said complaint, the Station House Officer, Punjagutta made GD entry on 13.08.2025 and for the purpose of conducting preliminary enquiry, petitioner No.2 was called to the Police station and after conducting enquiry, petitioner No.2 left the Police Station. The respondent Police has never illegally detained the petitioners and that after conduct of enquiry, a case in Cr.No.595/2025 under Section 127(2), 329 (3), 351 (2) BNS dated 19.08.2025 was registered on the file of Punjagutta Police Station. It is further submitted that the present writ petition is filed only to prevent the Investigating Officer from proceeding with the investigation.

5. Recording the submissions made by learned counsel appearing on either side and since FIR has already been registered, this writ petition is disposed of directing the respondent authorities to follow due process as contemplated under law before initiating any action on petitioner.

6. With the above direction, this writ petition is disposed of. Miscellaneous applications, if any pending, shall stand closed.

No order as to costs.

SD/- AHMED ABDULLAH KHAN
ASSISTANT REGISTRAR
SECTION OFFICER

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To,

1. The Principal Secretary, Department of Home, Secretariat Buildings, Hyderabad, State of Telangana.
2. The Commissioner of Police, Command and Control Centre, Telangana Police, Road No.12, Banjara Hills Hyderabad.

3. The Deputy Commissioner of Police, West Zone, AC Guards, Masab Tank, Hyderabad-28.
4. The Station House Officer, Panjagutta Police Station. Hyderabad City police, Hyderabad-500082.
5. The Sub Inspector of police, Panjagutta Police Station, Hyderabad City police, Hyderabad-500082.
6. One CC to SRI CH.JANARDHAN REDDY, Advocate [OPUC]
7. Two CCs to GP FOR HOME, High Court for the State of Telangana at Hyderabad [OUT]
8. Two CD Copies

BSR



HIGH COURT

DATED:22/08/2025

ORDER

WP.No.24486 of 2025



**DISPOSING OF THE WRIT PETITION,
WITHOUT COSTS**

(12) NT
23/9/25