

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

THURSDAY, THE TENTH DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY

: PRESENT:

THE HON'BLE THE CHIEF JUSTICE SRI RAGHVENDRA SINGH CHAUHAN
AND
THE HON'BLE SRI JUSTICE B.VIJAYSEN REDDY

WP(PIL) NO. 102 OF 2020

Between:

Ms. P.V.Nagamani (Advocate), Occ - Advocate, R/o. Gunjapadugu Village, Manthani Mandal, Peddapalli District Ph- 9550505588.

Petitioner

AND

1. State of Telangana, Rep. by its Chief Secretary, Secretariat, Hyderabad.
2. State of Telangana, Represented by its Principal Secretary, Home Department, Secretariat, Hyderabad.
3. The Director General of Police, Government of Telangana, Lakdikapool, Hyderabad.
4. Superintendent of Police, Peddapalli District, Peddapalli.
5. The Circle Inspector of Police, Manthani Circle, Manthani.
6. Station House Officer, Manthani Police Station, Manthani.

Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the letter dated 26.05.2020 sent by the petitioner herein through email, the High Court may be pleased to issue an appropriate Writ, Order or Orders more particularly, one in the nature of a Writ of Mandamus to call for records and remarks from the Respondents herein relating to and in connection with suspicious lock-up death of one Sri. Sheelam Rangaiah, S/o Ellaiah, R/o Ramyapalli, Manthani Mandal, Peddapalli District on 26/5/2020 at 4 a.m. at Manthani Police Station, that on 22/5/2020 Sheelam Rangaiah since deceased was brought to Manthani Police Station, illegally detained in lockup for the past four days, harassed him both mentally and physically and due to unbearable beatings of the police including the CI, SI and constables, the said Sheelam Rangiah died in the lock up, and ultimately issued FIR u/s 174 of Cr.P.C and sent the dead body to Manthani Area Hospital for Post-mortem and trying to manage the Doctors not to identify the injuries on the dead body of the deceased. Consequently to direct the Respondents herein to register the FIR as custodial death for the offences under section 176(2) Cr.P.C and u/s 302 of IPC and to conduct re-post mortem examination on the dead body with a team of Doctors to trace out the original facts, to stop the cremation of the deceased Sheelam Rangiah and also to conduct judicial enquiry into the death of Sheelam Rangaiah

The petition coming on for hearing, upon perusing the Petition and the letter dated 26.05.2020 sent by the petitioner herein through email, and order of the High Court dated 27.05.2020 and order 19.06.2020 made herein and upon hearing the arguments Smt P.V. Nagamani as party in person and Sri B.S. Prasad, Advocate General on behalf of GP for Home for the Respondents, the Court made the following.

ORDER:

Dealing with the alleged custodial death of Seelam Rangaiah, Smt. P. V. Nagamani, a practising advocate of this Court, had addressed a letter to the Hon'ble Chief Justice, on 26.05.2020. According to Ms. Nagamani, Mr. Sheelam Rangaiah was brought to the Manthani Police Station, and was kept under lock-up for four days. During this period, he was allegedly subjected to custodial torture. Subsequently, unable to bear the police atrocities, it is claimed that Mr. Rangaiah died in the lock-up under suspicious

circumstances on 26.05.2020 at 4:00 a.m. The said letter was treated by this Court as a Public Interest Litigation, and cognisance, on the basis of the said letter, was taken by this Court.

By order, dated 27.05.2020, this Court had directed Mr. Anjani Kumar, the Commissioner of Police, Hyderabad, to personally investigate the case with regard to the alleged incident, which had taken place in the Police Station, Manthani, on 26.05.2020, and to submit his Report. Consequently, the Report was submitted before this Court on 19.06.2020. Since the Report was confidential one, this Court directed that the Report shall be kept under the custody of the learned Registrar General of this Court. This Court, in order to be fair to the learned counsel, Ms. Nagamani, permitted her to take the notes from the Report, and if necessary, to file her counter to the said Report.

Ms. Nagamani informs this Court that eversince the said permission to file the counter to the Report was given to her, both she, and her husband are constantly being harassed by the police force, both at Manthani, which is their native place, and in Hyderabad. According to her, her husband is being falsely implicated in two FIRs. According to her, her husband has been falsely implicated in F.I.R.No.176 of 2020 on 02.09.2020, registered with Police Station, Basanth Nagar, Ramagundam District. Moreover, according to her, she is being threatened over phone by the Police Department, in case she were to file a counter to the Report submitted by Mr. Anjani Kumar, the Commissioner of Police, Hyderabad, not only her life, but also the lives of her children, and other family members will be in danger. Moreover, according to her, the concerned Circle Inspector of Police has threatened to commit suicide, in case, if the case filed by Ms. Nagamani is not withdrawn by her. Therefore, she seeks both police protection, and stringent action be taken by this Court against the Police Department. The above facts have been narrated verbally by Ms. Nagamani, before this Court.

However, before any Order can be passed by this Court, it is essential that her allegations be placed before this Court in the form of an Affidavit. Therefore, Ms. Nagamani is directed to submit an Affidavit of her own, as well as an Affidavit of her husband, Mr. Gattu Vaman Rao, with regard to the allegations that they proposed to make against the Police Department. Such Affidavits shall be accompanied by any documentary evidence to substantiate their allegations. The said Affidavits shall be filed by them by 11.09.2020.

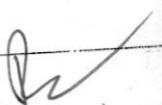
Meanwhile, this Court directs the Director General of Police, Telangana State, to ensure that neither Ms. Nagamani, nor her husband, Mr. Gattu Vaman Rao, are threatened by any Police Officer, and that they are not called to any police station as long as this case is *sub judice* before this Court.

A copy of this Order shall be sent immediately to the Director General of Police, Telangana State, by the Registrar General of this Court, for his information.

List this case on 11.09.2020.

SD/- **K.SHYLESHI**
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Director General of Police, Government of Telangana, Lakdikapool, Hyderabad. (By Special Messenger)
2. The Registrar General, High Court for the State of Telangana, Hyderabad.
3. One CC to Smt P V Nagamani, (Party in person) [OPUC]
4. Two CC to Advocate General, High Court, Hyderabad (OUT) (By Special Messenger)
5. Two spare copies

HIGH COURT

HCJ
&
BVRJ

DATED: 10.9.2020

NOTE: LIST THIS CASE ON 11.09.2020

ORDER

WP(PIL).No.102 of 2020

DIRECTION



10.9.2020