

IN THE HIGH COURT FOR THE STATE OF TELANGANA, HYDERABAD

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WRIT PETITION No. 1573 OF 2018

Between:

1. Pinninti Rachana Reddy, W/o. Late P. Prabhaker Reddy, Aged about 25 years, Occu: Housewife, R/o. H.No.3-101, Pochammawada, Alair Mandal, Tangutoor, Nalgonda, Telangana – 508101.
2. Pinninti Venkatamma, W/o. Ram Reddy, Aged about 50 years, Occu: Housewife, R/o. H.No.3-101, Pochammawada, Alair Mandal, Tangutoor, Nalgonda, Telangana – 508101.

Petitioners

VERSUS

1. The State of Telangana, Represented by its Home Department, Secretariat, Hyderabad, Telangana State.
2. The Director General of Police, DGP Office, Opp. Ravindra Bharthi, Lakdi-Ka-Pool, Khairathabad, Hyderabad – 500 004.
3. The Commissioner of Police, Siddipet Town, Siddipet District, Telangana State.
4. The Station House Officer, Police Station Kuknoorpally, Siddipet District, Telangana State.

Respondents

ORDER PRONOUNCED ON: 09.04.2026

THE HONOURABLE SRI JUSTICE N. TUKARAMJI

1. Whether Reporters of Local newspapers may be allowed to see the Judgment? : Yes
2. Whether the copies of judgment may be Marked to Law Reporters/Journals? : Yes
3. Whether His Lordship wishes to see the fair copy of the Judgment? : Yes

N. TUKARAMJI, J

*** THE HON'BLE SRI JUSTICE N. TUKARAMJI**

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4. The Station House Officer, Police Station Kuknoorpally, Siddipet District, Telangana State.

Respondents

! Counsel for the petitioners : Mr. Sujith Jaiswal,
Learned counsel for the petitioners.

^Counsel for respondents : Mr. D. Pradeep, learned Assistant
Government Pleader for Home,
appearing for all the respondents.

<GIST:

> HEAD NOTE:

? Cases referred

Babubhai v. State of Gujarat [(2010) 12 SCC 254];

State of West Bengal v. Committee for Protection of Democratic Rights
[(2010) 3 SCC 571].

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

THE HONOURABLE SRI JUSTICE N.TUKARAMJI

WRIT PETITION No. 1573 OF 2018

DATE: 09.04.2026

Between :

Pinninti Rachana Reddy and another.

... Petitioners

AND

The State of Telangana, Represented by its Home Department, Secretariat, Hyderabad, Telangana State, and three others.

... Respondents.

ORDER:

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

“...to issue a Writ of Mandamus or any other appropriate Writ or Writs, Order or Orders calling for records relating to Crime No. 110 of 2017 Dated 14.06.2017 on the file of Respondent No.4 Police Station as the same is arbitrary, unconstitutional and against to the principles of natural justice and consequently to transfer the Case with FIR No. 110/2017 Dated 14.06.2017 on the file of P.S. Kuknoorpally, Siddipet District to CBCID or any other independent impartial special investigating agency and pass such other and further order or orders...”

2. I have heard Mr. Sujith Jaiswal, learned counsel for the petitioners, and Mr. Mahesh Raje, learned Government Pleader for Home, appearing on behalf of the respondents.

Petitioners' Case

3.1. The brief facts, as set out by the petitioners, are that the husband of petitioner No.1 and son of petitioner No.2, namely late P. Prabhakar Reddy, who was serving as a Sub-Inspector of Police at Police Station Kukunoorpally, Siddipet District, allegedly committed suicide on 14.06.2017 during the afternoon hours at the Police Headquarters, Siddipet, by shooting himself on the forehead with his service revolver. On the same day, a complaint was lodged by one Bhaskar Reddy, the brother-in-law of petitioner No.1, before Kukunoorpally Police Station under Section 306 of the Indian Penal Code, resulting in registration of FIR in Crime No.110 of 2017. In the said complaint, a strong suspicion was expressed against the then Assistant Commissioner of Police, Gajwel, alleging that he had abetted the commission of suicide.

3.2. It is further the case of the petitioners that although the incident is stated to have occurred between 12:00 noon and 12:30 PM, by the time the family members reached the scene, certain crucial developments had already taken place. It is alleged, based on reliable information, that

immediately after the incident, the said ACP entered the police quarters, secured and screened the crime scene, and removed a suicide note purportedly authored by the deceased, which allegedly contained the reasons for his death.

3.3. The petitioners further allege that the said ACP, abusing his official position, cleared the premises, locked the house from inside, tampered with material evidence, and removed valuables such as rings and chains from the body of the deceased. It is also contended that the deceased had been subjected to continuous harassment and coercion by the said superior officer, who allegedly compelled him to perform illegal and unofficial acts, thereby causing severe mental distress. The deceased is stated to have repeatedly expressed his anguish over such harassment, ultimately leading him to take the extreme step.

3.4. The petitioners further contend that the investigation conducted by the police authorities is biased and lacks fairness, as it seeks to shield the accused officer. Despite serious allegations, no effective or impartial investigation has been undertaken. The request of the petitioners for transfer of investigation to the CBCID has not been considered, and they have been excluded from the investigative process, thereby giving rise to a reasonable apprehension of collusion and miscarriage of justice.

Submissions of the Petitioner:

4.1. Learned counsel for the petitioners submits that the death of the deceased is not a simple case of suicide, but rather the result of harassment and coercion by the then ACP, Gajwel. It is alleged that the said officer, by abusing his position of authority, compelled the deceased to engage in unlawful activities, and that the resulting mental agony drove the deceased to commit suicide. It is further contended that the said ACP not only abetted the suicide but also interfered with the investigation by tampering with the crime scene, removing the suicide note, and taking away valuable articles from the deceased's body. According to the petitioners, these circumstances give rise to grave suspicion regarding his involvement. The petitioners also allege that the police department, acting in collusion with the said officer, has deliberately diverted the investigation by attributing the cause of death to extraneous factors, including alleged personal issues of the deceased.

4.2. It is further submitted that, despite repeated requests for transfer of the investigation to an independent agency, the same have been arbitrarily ignored. The petitioners contend that a fair investigation is an integral facet of the right to life and personal liberty under Article 21 of the Constitution of India. The failure of the State machinery to ensure a fair investigation, therefore, amounts to a violation of fundamental rights,

warranting intervention by this Court. It is also pointed out that, although a pending investigation was indicated in the counter affidavit, a final report was filed only after the hearing of the present writ petition commenced, thereby giving rise to suspicion. Accordingly, a direction is sought for transfer of the investigation to an independent agency.

Submissions of Respondents:

5.1. Learned Government Pleader for Home, relying upon the affidavit of respondent No.3 (Commissioner of Police, Siddipet), submits that upon receiving information regarding the suicide, the brother of the deceased rushed to the spot and reported that the deceased had earlier expressed distress due to certain difficulties allegedly arising from interactions with the ACP, Gajwel. Based on the said complaint, Crime No.110 of 2017 was registered under Section 306 IPC, and the investigation was entrusted to the Sub-Divisional Police Officer, Sangareddy Division.

5.2. The postmortem examination revealed that the cause of death was shock and hemorrhage due to a firearm injury. Material objects were seized and forwarded to the Forensic Science Laboratory for ballistic examination. Statements under Section 161 Cr.P.C. were recorded during the course of the investigation. It is further stated that, on 12.06.2017, the deceased was allegedly involved in an incident after

consuming alcohol, which led to the registration of another case (Crime No.563 of 2017) relating to the suicide of one Sirisha. According to the respondents, the deceased, apprehending implication in the said case and the consequent damage to his reputation and service career, was under mental distress and committed suicide. It is submitted that the allegation regarding missing valuables was found to be false, as the same were recovered from the house of the deceased's brother.

5.3. It is further stated that the allegations made against the ACP were referred to the Forensic Science Laboratory; however, nothing incriminating was found. Accordingly, a final report has been filed. The respondents assert that the investigation was conducted fairly and in accordance with law, and they deny all allegations of bias or manipulation.

Consideration by the Court

6. I have carefully considered the rival submissions and perused the material on record.

7. It is not in dispute that the deceased died due to a gunshot injury inflicted by his service weapon, and that a case under Section 306 IPC

was registered. However, the core issue pertains to the fairness, impartiality, and credibility of the investigation.

8. The petitioners have made serious allegations of harassment, abetment, and tampering of evidence by a senior police officer. The respondents, on the other hand, attribute the suicide to personal distress arising out of a separate criminal case. These competing versions necessitate a deeper and impartial scrutiny.

9. It is a settled principle of law that “justice must not only be done but must also appear to be done.” The Hon’ble Supreme Court in *Babubhai v. State of Gujarat* (2010) 12 SCC 254 and *State of West Bengal v. Committee for Protection of Democratic Rights* (2010) 3 SCC 571 has held that a fair, impartial, and unbiased investigation is an essential component of Article 21 of the Constitution.

10. Further, in cases where allegations are made against police officials themselves, investigation by the same agency may give rise to a reasonable apprehension of bias. Even in the absence of proven mala fides, reasonable likelihood of bias is sufficient to warrant transfer of investigation.

11. In the instant case, the allegation regarding removal of the suicide note is of significant evidentiary value; allegations of tampering with the crime scene and removal of valuables raise serious doubts; the investigation has remained pending for a considerable period; the accused officer belongs to the same department conducting the investigation. These factors cumulatively create a reasonable apprehension of lack of fairness, thereby undermining public confidence in the investigative process.

12. In view of the above, this Court is of the considered opinion that the investigation conducted by the local police does not inspire confidence and falls short of the constitutional mandate of a fair and impartial investigation under Article 21 of the Constitution of India.

13. Accordingly, the following directions are issued:

- a) The investigation in Crime No.110 of 2017 of Kukunoorpally Police Station shall be transferred to the CBCID, which shall conduct a fair, impartial, and independent investigation, including further or de novo investigation, if necessary;
- b) The respondent authorities shall forthwith hand over the entire case diary, material objects, forensic reports, and all connected records to the transferee agency;

- c) All officers involved in the earlier investigation shall extend full cooperation;
- d) The transferee agency shall examine all aspects, including allegations of abetment of suicide, removal of suicide note, tampering of evidence, and removal of valuables;
- e) The transferee agency shall independently assess all versions and arrive at its own conclusions;
- f) The investigation shall be completed expeditiously, preferably within nine months from the date of receipt of a copy of this order;
- g) Periodical progress reports shall be submitted before the jurisdictional Magistrate.

14. Accordingly, the writ petition is allowed. There shall be no order as to costs. Pending miscellaneous applications, if any, shall stand closed.

N.TUKARAMJI, J

Date: 09.04.2026

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