

D5
Chy
22/10

67

Office of the
Director General of Police
Andhra Pradesh, Hyderabad

Re. No. 4625/Complts-1/2008

Date: 01-10-2008

MEMORANDUM

CI/DCRB
JMA

Sub:- Police Circular orders to prevent immediate arrest on complaints U/s 498-A IPC - Regarding.

Ref:- 1. Letter No. 6546/HRPC(Inv) dated: 26-08-2008 of Human Rights Protection Cell Orissa, Cuttack.
2. C.O.Memo.No. 4625/Complts-1/2008 ,Dt-09-09-2008 .

#####

The attention of All C.S.P's and S.S.P's are invited to the references afore cited. It is requested to send the report as called for their in to Chief office immediately for taking further necessary action in the matter.

~~...~~

*Sd/- S.V. Ramana Murthy,
for Director General of Police*

To
All Commissioner of Police.
All Superintendent of Police.
Except C.P.Cyberabad.

//t.c.f.b.o.//

1/4

[Signature]
Superintendent

(Co-84)

7/10/08
23/10/08

111
17

POLICE DEPARTMENT

From:
Sri Ch Srikanth, IPS.,
Superintendent of Police,
SRIKAKULAM.

To
The Director General of Police,
Andhra Pradesh,
Hyderabad.

C.No. 34/D-5-DCRB/SKL/08 Dt. 15-10-2008

Sir,

Sub:- POLICE – Srikakulam District – Implementation of circular orders to prevent immediate arrest on complaints u/s 498-A IPC – submission of - Regarding.

Ref:- 1) Rc. No 4625/Campts-1/2008 dt 9-9-08 of the DGP, AP, HYD
2) Letter No 6546/HRPC(INV) Dt 26-08-08 of Human Right protection cell, Orissa , Cuttack.



With rerefence to the above it is to state that, letter No 6546/HRPC (Inv) dt 26-08-08 of Human Rights protection cell Orissa, Cuttack together with Chief office memo Rc. No 4625/Complts-1/2008 dt 09-09-08 was communicated to all SIs through CIs with instructions to follow the guide lines issue there in scrupulously.

ST

Handwritten signature/initials

Yours faithfully,

Superintendent of Police,
Srikakulam

Dist. Officer
CI DCRB.

(23)

POLICE DEPARTMENT

(19)

From
Sri D.Rama Krishnaiah,, IPS.
Superintendent of Police,
Krishna District, Machilipatnam.

To
The Director General of Police,
Andhra Pradesh,
Hyderabad.

C.No. 351/DCRB /2008, Dated: 01.10.2008

Sir,

Sub: -POLICE - Krishna District - Police Circular Orders to prevent immediate arrest on the complaint U/s.498-A IPC - Reply - Submission of - Reg.

Ref:- Memo in Rc.No.4625/Complts-I/2008, dated 09.09.08 of the DGP AP HYD.

@@@

14364.

With reference to Chief Office Memorandum cited, I am to state that it is a fact that the cases are being registered U/s. 498-A IPC against innocents ie., old parents, in-laws and minor Children who are far away from the family are being victimized basing on the Petition of the Petitioner.

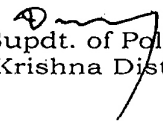
Hence, it is very essential to conduct sound investigation in such cases registered under section 498-A IPC under the close supervision of a Police Officer ie., not below the rank of Sub-Dvnl. Police Officer to out come the mis-use of the section and arrest the accused who actually involved in the Offence.

In this connection, instructions were issued to all the Sub-Dvnl Police Officers in the District to review all the cases which falls U/s.498-A IPC and guide the SIs on correct lines as per rules in vogue to rescue the innocent victims.

As such, the guidelines and standing Order No.330/2007 are very essential to implement to avoid the arrest of innocent victims under section 498-A IPC Cases.

This is for favour of information.

Yours faithfully,


Supdt. of Police,
Krishna District.

Copy forwarded with best compliments to:

The Inspector General of Police, Visakhapatnam Region A.P., Hyderabad.
The Deputy Inspector General of Police, Eluru Range, Eluru.

CI
Put up file
D 15/10/08

AP
(Co-Ord)
FW.3
24/10.

(2)
(65)

**GOVERNMENT OF ANDHRA PRADESH
POLICE DEPARTMENT**

From
V.C.Sajjanar, IPS,
Superintendent of Police,
WARANGAL.

To
The Director General of Police,
Andhra Pradesh,
HYDERABAD.

C.No.Misc/CI-DCRB/2008.

Date: 22-10-2008.

Sir,

Sub:- Police Circular orders to prevent immediate arrest on complaint u/s.
498(A) IPC - Request to supply the original reference - Reg.

Ref: Memorandum Rc.No.4625/Complts-1/2008, dated. 01-10-2008 of
DGP, AP, Hyderabad.

-oOo-



With reference to the above, I submit that the original reference of the above memorandum is not received in this office. Hence I request you to supply the copy of original reference so as to enable to take further action into the matter.

Yours faithfully,

[Signature]
for 2/2
Superintendent of Police,
Warangal.

ATXCP
(co-ord)

TW.3
2/19

cy

627

GOVERNMENT OF ANDHRA PRADESH
POLICE DEPARTMENT

From

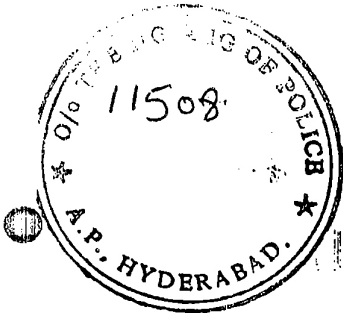
Sri S. Prabhakar Reddy, IPS.
Commissioner of Police,
Cyberabad.

To

The Director General of Police,
Andhra Pradesh,
Hyderabad.

Lr.No. 122/ SI Ah/CCRB/CYB/2008, Dated: 23 -09-2008.

Sir,



Sub:- Police- Cyberabad – Circular orders to prevent immediate arrest on complaints u/s 498(A) IPC – Specific Remarks- Furnishing- Reg.

Ref:- Chief Office memo No. 4625/complts-1/2008 dt. 8.9.08 of DGP, AP, Hyderabad.

Please refer to chief office memo cited the specific remarks in the matter are as follows.

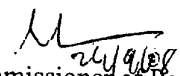
The Directions of Hon'ble Supreme Court of India, High Court etc., are being followed while effecting arrests in cases U/s 498 (A) IPC. The ACP/DCP will normally be consulted by the SHOs to whom to be arrested or not to be arrested .

Cyberabad Commissionerate is adopted the guidelines of memo issued by commissioner of Police, Hyderabad City wide reference No. I&O/M6/1315/2002 dated 6.4.2002.

The above instructions are being invariably followed in Cyberabad Commissionerate to avoid miscarriage of Justice and the concerned officers in the Commissionerate have already been instructed in this regard to follow the guidelines issued by the Apex court.

CI
Part of file
23/9/08

Yours faithfully,


for Commissioner of Police,
Cyberabad Commissionerate.

(81)

17092
1/11/08

GOVERNMENT OF ANDHRA PRADESH
POLICE DEPARTMENT

From:
Y. Gangadhar, IPS.,
Superintendent of Police,
Karimnagar.

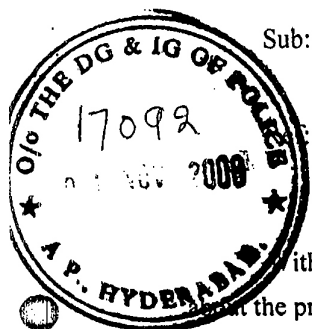
To:
The Director General of Police,
AP, Hyderabad.

C.No. 163/D2/DCRB/2008, Dated: 23.10.2008

Sir,

Sub: Report on Police Circular orders to prevent immediate arrest on complaints
U/s 498-A IPC - Submission - Regarding.

Memorandum RC.No. 4625/Complts-1/08, dt: 09-09-2008 of DGP AP HYD.



With reference to the Memorandum cited, it is submitted that no circular's are issued
in the procedure to be followed by the police, when a case U/s 498(A) IPC is registered.

However it is submitted that the provision 498(A) IPC is widely misused by the
women filing false cases against the husbands and their Kith and kin to settle the scores. In
most of the cases the relatives of the husband, who reside abroad are also implicated in the
cases. The Station House officers are however taking precautions to see that the accused in
498(A) IPC case is not immediately arrested.

The Station House Officers are collecting the evidence and if there is any prima facie
evidence against the accused, then only the accused are being arrested.

The Station House Officers are also calling the complainant and the accused and
counseling them to settle the matter amicably. If there is no evidence against the relatives,
others and husbands steps are taken to delete them from the case.

Yours faithfully,

[Signature]
Superintendent of Police,
Karimnagar.

C1 / *[Signature]* on 1/11/08
Put up file

23/11/08

(3)

FW 9
22/11

(HS)

GOVERNMENT OF ANDHRA PRADESH
POLICE DEPARTMENT

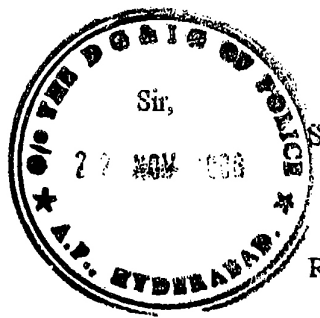
TDCP
(10-08)

21029

From
Mahesh Muralidhar Bhagwat, I.P.S.,
Superintendent of Police,
KHAMMAM.

To
The Director General of Police,
A.P., Hyderabad.

C.No. 475/C1/2008, Dt. 14.11.2008.



Sub:- Police Department - Khammam District - Police Circular orders to prevent immediate arrest on complaints U/s 498 (A) IPC - information - Regarding.

Ref:- Rc.No.4625/Comlts-1/08 dated 09.09.08 of the C.O., Hyderabad.

Anent the subject cited, it is to state that there are no such police circular orders received in this office to prevent immediate arrest on complaints U/s 498(A) IPC.

However, the SHOs are registering the cases as and when complaints received from the victim in the 498(A) IPC cases and conducting investigation. Wherever offence is established against the accused persons, those are being arrested and the rest of the persons cited in the FIR are being deleted and the case is being charge sheeted by the I.Os. In some of the cases, both parties are ^{affected} being compromised in Lok-Adalath after conducting counseling at the court even in the FIR stage also.

Yours Sincerely,

S. V. Rathar
14.11.08

for Superintendent of Police,
Khammam.

C1/
Dat of
20/11/08

69

Government of Andhra Pradesh,
Police Department.

From
Sri N.Madhusudhana Reddy, IPS.,
Superintendent of Police,
Kurnool.

To
The Director General of Police,
Andhra Pradesh,
Hyderabad.

mtb
27/10

Lr.No. 240 /C3/DCRB/08 dt. 27-10-2008.

Sir,

Sub:-Police Circular orders to prevent immediate arrest on
complaints u/s 498-A IPC – Report – Submitted – Regarding.
Ref:-Chief Office Memorandum Rc.No.4625/Compts-1/2008 dt.9-9-2008:

With reference to the Chief Office reference cited, it is to submit that,
it is necessary to issue such circular in 498-A cases as issued in Hyderabad city
making it applicable to districts also with modification that ;

- (1) I.O can arrest husband.
- (2) He should obtain written orders from SDPO to arrest other relatives of husband.

Submitted for favour of information.

Yours faithfully,

Reddy
Superintendent of Police,
Kurnool.

Camp Office
Received on: 27-10-08
Dispatched on: 29.10.08
A. P. HYDERABAD. (12)

Add: DGPC/

CI
on file

8
27/10
C3

30/10/08