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

WEDNESDAY, THE NINETEENTH DAY OF MARCH
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE THE ACTING CHIEF JUSTICE SUJOY PAUL
AND
THE HONOURABLE SMT JUSTICE RENUKA YARA

WRIT PETITION (PUBLIC INTEREST LITIGATION) NO: 254 OF 2017

Between:

1. Heaven Homes Society(HHS), Regd. No. ID, 1443/2012 Society is a Non-profit organization for women and child Welfare Smt. G. Varalakshmi W/o. G.N.V.Sanjay Kumar Aged about 43 years, Om House Wife and above R/ H. No. 8-3-229/31, Thahirvilla Colony, Yousufguda check post, Hyderabad -045 Email varalakshmi1236orgmail.com Aadhar No. 538538988271, Cell No.7416886832 Society Pan Card No. AABAH0642R/AUMPG1352K

   Bank Acct. No. 171211100001848 Andhra Bank, Yousufguda Branch, Hyderabad

...PETITIONER

AND

1. Union Of India, rep.by its Under Secretary, Ministry of Home Affairs, Sastri Bhavan, New Delhi.
2. The State of Telangana, rep by its Prl. Secretary, Home, Department Secretariat Buildings, Saifabad, Hyderabad -022
3. The Director General of Police/DGP DGP's Office, Lak-di-kapool, Hyderabad Telangana State
4. The State of Andhra Pradesh, rep by its Prl. Secretary, Home Department Secretariat Buildings, Amaravathi At Velagapudi, Guntur District AP
5. The Director General of Police/DGP New DGP's Office, at, Mangalagiri, GunturDist., AP

...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, Direction or an Order more particularly one in the nature of Writ of Mandamus to issue a Writ, Order or direction more particularly one in the nature of Writ of Mandamus a) declaring the action of the Respondents in not filing the charge sheets/final reports before the concerned courts in pursuant to

the FIR No. 67 /2017, dt.20- 02-2017 and FIR No. 1005/2013, dt.01-12-2013 as illegal, arbitrary b) and consequently direct the Respondents to frame Special Guidelines or Restrictions, that would necessarily lead to a licensing regime being created to curb and regulate the rampant sale both online and offline of spy cameras only through authorized dealers, c) and further direct the Respondents to forthwith to take necessary steps to ban the sales of SPY Cameras in open markets, both online and offline.

IA NO: 1 OF 2024

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 to Constitute a high-level investigation committee headed by a sitting or retired Judge of this Hon'ble Court, comprising of the Principal Secretaries of the Home Departments of Telangana and Andhra Pradesh, Senior Police Officials and cyber-crime experts, representatives from civil society, particularly experts in data protection and privacy to investigate incidents of illegal spy camera usage, trace perpetrators, recommend legislative reforms, and ensure prosecution under relevant provisions of law, including Section 66E and 67 of the Information Technology Act., 2000, and other applicable provisions in the interest of justice.

I.A. NO: 1 OF 2017(WP(PIL)MP. NO: 498 OF 2017)

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 respondent authorities to regulate the sale of spy cameras in the open market both online and offline only through authorised agencies under the supervision/ Control of the State Government pending disposal of the Writ Petition.

Counsel for the Petitioner : Ms.P.SREE RAMYA
Counsel for the Respondent No.1 : SRI GADI PRAVEEN KUMAR, DY.SOL.GENERAL

Counsel for Respondents No.2&3 : SRI MAHESH RAJE, GP FOR HOME
Counsel for Respondents No.4&5:SRI B.RAJESHWAR REDDY, GP FOR HOME

The Court made the following: ORDER

THE HONOURABLE THE ACTING CHIEF JUSTICE SUJOY PAUL
AND
THE HONOURABLE SMT. JUSTICE RENUKA YARA

WRIT PETITION (PIL) No.254 of 2017

ORDER (Oral)**:** *(Per Hon'ble The Acting Chief Justice)*

Ms. P. Sree Ramya, learned counsel for the petitioner and Sri B. Mukherjee, learned counsel representing Sri Gadi Praveen Kumar, learned Deputy Solicitor General of India, for respondent No.1.

2. With the consent, finally heard.

3. The relief prayed by the petitioner in the present Writ Petition (PIL) is as follows:

> "...to issue a Writ, Order or direction more particularly one in the nature of Writ of Mandamus (a) declaring the action of the Respondents in not filing the charge sheets/final reports before the concerned courts in pursuant to the FIR No.67/2017, dt. 20-02-2017 and FIR No.1005/2013 dt. 01-12-2013 as illegal arbitrary, (b) and consequently direct the Respondents to frame Special 'Guidelines' or 'Restrictions', that would necessarily lead to a licensing regime being created to curb and regulate the rampant sale both online and offline of spy cameras only through authorised dealers, (c) and further direct the Respondents to forthwith to take necessary steps to ban the sales of SPY Cameras in open markets both online and offline and to pass such other order or orders..."

4. Learned counsel for the petitioner fairly submits that relief (a) of the aforesaid relief is not pressed. So far remaining reliefs are concerned, it is contended by the learned counsel for the petitioner that spy cameras are easily available in the market

and they are being misused, as such, there must be some regulatory measures to be introduced by the Government. Thus, in this regard, relevant guidelines are required to be issued.

5. Sri B. Mukherjee, learned counsel for respondent No.1, submits that in case of breach of anybody's privacy, Section 77 of the Bharatiya Nyaya Sanhita, 2023 and Section 66 E of the Information Technology Act, 2000, are available to take care of such eventualities.

6. We have heard the parties on this aspect.

7. Whether or not sale of spy cameras is to be regulated is a subject within the province of the law makers/Government. We do not see any such Public Interest Litigation involved in this matter which necessitates this Court to issue such directions. It is matter of common knowledge in the present times that almost every mobile phone which is being carried by common man is equipped with a camera. Thus, in this era of technology, we do not find it necessary to issue any such orders.

8. In view of the forgoing analysis, the Writ Petition (Public Interest Litigation) is **disposed of**. There shall be no order as to

costs. Miscellaneous applications, if any, pending shall stand closed.

SD/-T. JAYASREE
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

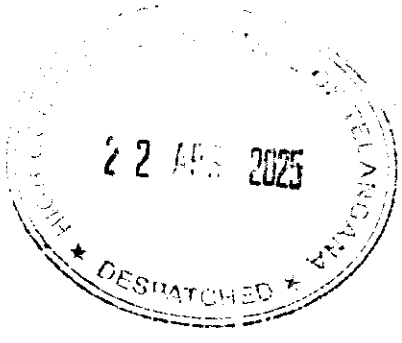
1. The Under Secretary, Ministry of Home Affairs, Union Of India, Sastri Bhavan, New Delhi.
2. The Prl. Secretary, Home, Department Secretariat Buildings, State of Telangana, Saifabad, Hyderabad -022
3. The Director General of Police/DGP DGP's Office, Lak-di-kapool, Hyderabad Telangana State
4. The Prl. Secretary, Home Department Secretariat Buildings, State of Andhra Pradesh, Amaravathi At Velagapudi, Guntur District AP
5. The Director General of Police/DGP New DGP's Office, at, Mangalagiri, GunturDist., AP
6. One CC to SRI P.SREE RAMYA Advocate [OPUC]
7. Two CCs to GP FOR HOME, High Court for the State of Telangana. [OUT]
8. Two CCs to GP FOR HOME, High Court for the State of Andhra Pradesh at Amaravathi. [OUT]
9. One CC to SRI GADI PRAVEEN KUMAR, (Deputy Solicitor General of India), High Court for the State of Telangana at Hyderabad. [OPUC]
10. Two CD Copies.

BSK PA

LS

HIGH COURT

DATED:19/03/2025



ORDER

WP(PIL).No.254 of 2017

DISPOSING OF THE WRIT PETITION (PIL) WITHOUT COSTS

(14) PA 8/4/25