

HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

AND

HON'BLE SRI JUSTICE T. SUNIL CHOWDARY

WRIT PETITION No.14990 OF 2015

ORDER: (Per Hon'ble Sri Justice Vilas V. Afzulpurkar)

The present Writ of Habeas Corpus is sought alleging illegal detention of two detenus, Syed Osman Hussain and Amer.

It is alleged in the affidavit that on 22.05.2015, Syed Osman Hussain and his friend Amer were illegally taken to custody by respondent No.2 on the way to Osmania General Hospital. Alleging that respondent No.2 has illegally detained the said persons, the present Writ Petition is filed.

Learned Advocate General, on instructions, has produced copy of F.I.R.Nos.165 of 2014 and 352 of 2014, dated 03.04.2014 and 23.07.2014, respectively, issued by the Sub-Inspector of Police, Langerhouse. The said F.I.Rs. are registered against unknown persons based on complaints given as to theft of Laptop, Cellphones etc. On investigation, police filed remand reports, dated 26.05.2015 and 27.05.2015, before the learned VI Additional Chief Metropolitan Magistrate, Nampally. The said remand reports show that one of the detenu, Syed Osman Hussian, was arrested on 26.05.2015 and the other detenu, Amer, was arrested on 27.05.2015 and presently, they are stated to be under judicial custody.

In view of the said judicial custody of both the detenus, it cannot be said that there is illegal detention to entertain the Writ Petition.

The Writ Petition is, accordingly, dismissed. However, the petitioner is at liberty to avail the appropriate remedies available under law.

Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed. There shall be no order as to costs.

VILAS V. AFZULPURKAR, J

T. SUNIL CHOWDARY, J

May 28, 2015

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