

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA & THE STATE OF ANDHRA PRADESH
(Special Original Jurisdiction)

THURSDAY, THE TWENTY EIGHTH DAY OF MAY
TWO THOUSAND AND FIFTEEN

PRESENT

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR
AND
THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

WRIT PETITION No.14877 of 2015

BETWEEN

V.Kalpana Devi

... PETITIONER

AND

State of Telangana, rep. by its Principal Secretary and others

...RESPONDENTS

The Court made the following:

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ORDER: (Per VVA, J)

This writ of Habeas Corpus is sought alleging that the detenues viz., 1) V.Venkat Reddy, 2) M.Guruvaiah, 3) J.Subba Reddy, 4) Chinna, 5) Nageshwar Rao, 6) Venkat, and 7) Rupas, were illegally detained by the Circle Inspector of Police, Achampeta Police Station, respondent No.4 on 17.05.2015 and after 19.05.2015 detenues were not even on contact on phone.

2. When this writ petition came up on 21.05.2015, it was adjourned to this date.

3. Learned Advocate General has secured instructions and placed before the court Remand Case Diary Part-I of Eagalpenta police station. The remand report shows that accused Nos.1 to 7 apart from accused Nos.8 to 10 were arrested on 23.05.2015 being accused in a case of brutal murder of a schedule caste, which occurred on 15.05.2015 at about 06:00 hours near Hanumakonda turning under the jurisdiction of Eagalpenta police station. All the accused are stated to be in judicial custody as per orders of the Judicial Magistrate of First Class, Atchampet.

4. In view of that, it is obvious that the detention of the accused is in accordance with law and, as such, it cannot be treated as an illegal detention warranting exercise of jurisdiction by this court under Article 226 of the constitution. Petitioner is, however, at liberty to move appropriate court for such relief as permissible under law.

Writ petition is, accordingly, dismissed. As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

VILAS V. AFZULPURKAR, J

T. SUNIL CHOWDARY, J