

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

AND

THE HON'BLE SRI JUSTICE M.S.K.JAI SWAL

WRIT PETITION No.38506 of 2016

30.11.2016

Between:

Pampati Sreelatha

..Petitioner

And

The State of Andhra Pradesh,
represented by its Principal Secretary,
Home Department, Guntur and others

..Respondents

Counsel for the petitioner: Mr.T.S.Rayalu

Counsel for the respondents: Mr.C.S.Surya Prakash Rao,
Special Government Pleader (AP)

The Court made the following:



ORDER: (Per the Hon'ble Sri Justice C.V.Nagarjuna Reddy)

This writ petition is filed for issue of *habeas corpus* to direct the respondents to produce one Pampati Chandrasekhar @ Sekhar – husband of the petitioner (for short 'the alleged detenu') and set him at liberty.

2. In the counter-affidavit filed by respondent No.4, it is averred that the alleged detenu is accused in crime No.91 of 2016 for the offences punishable under Sections 420 and 506 I.P.C. of Rentachintala Police Station; that he was arrested on 08.11.2016 and was produced before the I Additional Junior Civil Judge, Gurazala on the same day and that he was remanded to judicial custody and was lodged at Sub-Jail, Gurajala. A reply affidavit is filed by the petitioner, wherein, it is alleged that the alleged detenu was taken into illegal custody by the Police on 01.11.2016 and that on coming to know about the filing of the present writ petition, he was produced before the jurisdictional Magistrate on 08.11.2016. It is further stated that after the alleged detenu was released on bail on 09.11.2016, a fresh crime was registered based on a complaint from a third party. It is also alleged that during the detention period, the alleged detenu was forced to sign on four blank papers by the Police.

3. In view of the fact that the alleged detenu was arrested and was produced before the jurisdictional Magistrate and he has already been released on bail, no further adjudication of the writ petition is necessary. If the petitioner or her husband (alleged detenu) is aggrieved by the alleged illegalities of the Police, they are entitled to avail appropriate remedies available to them in law.

4. Subject to the liberty given to the petitioner and her husband as above, the Writ Petition is disposed of as infructuous.

C.V.NAGARJUNA REDDY, J

M.S.K.JAI SWAL, J

30th November, 2016
GHN

