

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY
&
THE HON'BLE SRI JUSTICE M.S.K.JAISWAL

WRIT PETITION No.26531 of 2016

DATED:- 29-11-2016

Between:

E.Mutyamma

..... PETITIONER

AND

The State of Andhra Pradesh, rep.by its Principal Secretary,
Home Department Secretariat,
Hyderabad and 2 others

.....RESPONDENTS

COUNSEL FOR THE PETITIONER : Sri N.ASWARTHA NARAYANA

COUNSEL FOR RESPONDENTS : Sri C.S.SURYA PRAKASH RAO
Spl. G.P (AP)



THE COURT MADE THE FOLLOWING:

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY
&
THE HON'BLE SRI JUSTICE M.S.K.JAI SWAL

WRIT PETITION No.26531 of 2016

JUDGMENT: (per Hon'ble Sri Justice C.V.Nagarjuna Reddy)

This writ petition is filed for issue of habeas corpus, directing respondents Nos.2 and 3 to produce G.Lokesh, S/o.G.Narasimhulu (hereinafter referred to as "the detenu"), son-in-law of the petitioner, before the Court and set him at liberty.

Respondent No.3 filed a counter affidavit, wherein it is *inter alia* stated that the alleged detenu was arrested on 06.08.2016 in Cr.No.52 of 2016, registered under section 379 IPC, of Bommanahal Police Station and produced before the Judicial Magistrate of First Class, Rayadurgam on the same day, and the learned Magistrate has passed an order, remanding him to judicial custody.

Sri N.Aswartha Narayana, learned counsel for the petitioner, in reply to the counter affidavit, submitted that though the petitioner was taken into illegal custody on 31.07.2016, the police have suppressed the said fact and come out with a false plea that the petitioner was arrested on 06.08.2016.

Since the alleged detenu has been produced before the jurisdictional Magistrate, it is unnecessary for this Court to adjudicate the issue as to whether he was taken into illegal custody on 31.07.2016 or not. If the petitioner or the detenu has any grievance in this regard, they shall be free to approach an appropriate authority for its redressal.

Subject to the liberty to the petitioner and the detenu, as above,
the writ petition is disposed of as infructuous.

C.V.NAGARJUNA REDDY,J

M.S.K.JAI SWAL,J

Date: 29.11.2016
Dsr

