

**HON'BLE SRI JUSTICE A.RAJASHEKER REDDY
AND**

HON'BLE SRI JUSTICE A.SHANKAR NARAYANA

WRIT PETITION No.15780 OF 2016

ORDER: (per ARR,J)

This petition is filed for a writ of *Habeas Corpus*, directing the 3rd respondent to produce the detenues i.e., Son, Sons-in-law, daughters-in-law and grand sons of the petitioner viz., (i) Mari Mashi Chenchu Raja, aged 36 years (ii) Mari Mashi Chenchu Ramaiah, aged 26 years, (iii) Kanaka Karimulla, aged 25 years, (iv) Mari Mashi Kumaramma, aged 28 years, (v) Mari Mashi Bhavani, aged 23 years, (vi) Guthi Subash, aged 40 years (vii) Lokes, aged 16 years, and (viii) Mari Mashi Teja, aged 3 years, who are presently in the illegal custody of the 3rd respondent, and to set them at liberty.

The respondents filed counter stating that the alleged detenues 6, 3 and 7 are Accused 1 to 3 in Cr.No.232 of 2016 of Patamata P.S., Vijayawada City and in connection with the said crime, they were arrested by them on 01.05.2016 and that after complying with the formalities of arrest, Accused 1 and 2 (alleged detenus 6 and 3 herein) were produced before IV Additional Chief Metropolitan Magistrate, Vijayawada on 02.05.2016 and the learned Magistrate remanded them to judicial custody and they are at present lodged in District Jail, Eluru. It is also stated that the alleged detainee No.7 being a minor was produced before the Juvenile Court i.e., II Additional Chief Metropolitan Magistrate, Vijayawada on 02.05.2016, but the learned Magistrate returned the FIR, for want of original FIR and Mediators' report which were filed

before the IV Additional Chief Metropolitan Magistrate, Vijayawada and that he was released on Station bail. As far as detenues 2, 1, 4 and 5 are concerned, it is stated that they are accused 1 to 4 in Cr.No.37/2016 of Thotlavalluru P.S., Vijayawada City and in connection with the said crime, they were arrested on 01.05.2016 and the said alleged detenues were produced before Judicial Magistrate of First Class, Vuyyuru, Krishna District on 02.05.2016 along with detainee No.8 who is feeding baby (son of the alleged detainee No.5) and that the learned Magistrate remanded them to judicial custody and that pursuant to the remand order, they are now lodged in District Jail, Eluru.

Heard learned counsel for the petitioner and learned Advocate General appearing for the respondents.

The grievance of the petitioner is that the detenues were illegally kept in the custody, as such she filed present writ petition. But, in the counter it is clearly stated that all the detenues were produced before the concerned Courts. As such, it is for the petitioner to move appropriate application before the concerned Courts. In view of the same, we do not see any ground to entertain the writ petition.

Accordingly, the writ petition is dismissed. No order as to costs.

A.RAJASHEKER REDDY, J

A.SHANKAR NARAYANA, J

Date: 05.05.2016

tk/Prv

-

**HON'BLE SRI JUSTICE A.RAJASHEKER REDDY
AND
HON'BLE SRI JUSTICE A.SHANKAR NARAYANA**

WRIT PETITION No.15780 OF 2016

-

05-05-2016

tk/Prv

-

-

