

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

WRIT PETITION NO.25987 OF 2016

DATED:21-12-2016

Between:

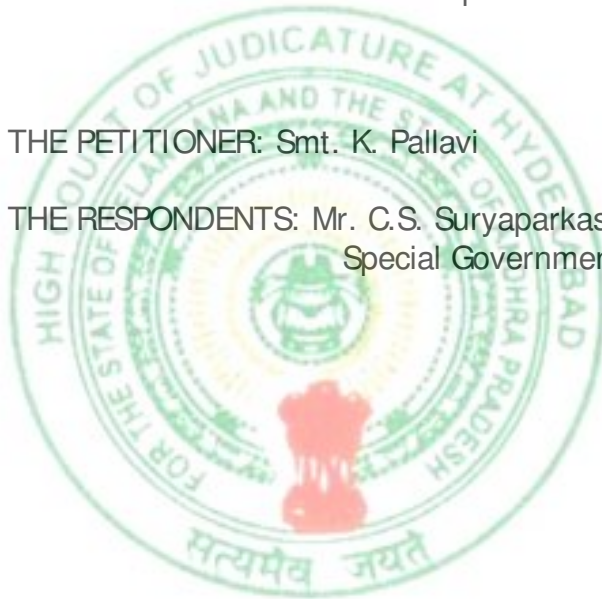
Smt. Arikati Savitri ... Petitioner

And

The State of Andhra Pradesh  
Rep. by Principal Secretary (Home Department)  
Secretariat, Hyderabad  
and others ... Respondents

COUNSEL FOR THE PETITIONER: Smt. K. Pallavi

COUNSEL FOR THE RESPONDENTS: Mr. C.S. Suryaparkash 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 directing the respondents to produce the husband of the petitioner, by name, Arikati Giribabu.

Respondent No.3 – Station House Officer, Totapalli Gudur Police Station, filed a detailed counter affidavit wherein it is *inter alia* stated that the report on the missing of the petitioner's husband was registered as Crime No.153 of 2015 on 18.12.2015 by respondent No.3 in Totapalli Gudur Police Station, under the head 'Man Missing' and that since then all conceivable efforts are being made to trace the missing man. He has also enumerated the following measures to trace the missing man - (i) collected the photo and descriptive particulars of the missing man, and kept the photo in the Police Station intranet; (ii) issued look out notice and dispatched to all the Police Stations in the State; (iii) flashed the telephonic information to pass on the message if and when received; and (iv) requested the petitioner to provide her husband's cell phone number for tracking his movements, but she informed that her husband does not use mobile phone. In addition to the above, various measures taken from 18.12.2015 to 14.08.2016 have been mentioned in detail in the counter affidavit. The aforementioned details include the examination of three persons by name Katuru Ashok, Katuru Chandraiah and Katuru Ramu, who are suspected to have killed the missing man, the husband of the petitioner, and their denial of the said allegation.

From the various steps taken by respondent No.3, we are of the opinion that the Police have taken all the necessary measures to trace out the missing man and that despite their best efforts they could not trace

him. In these facts and circumstances of the case, we do not feel that any purpose will be served in keeping the writ petition pending.

The writ petition is accordingly dismissed, however, with liberty to the petitioner to avail appropriate remedies available to her under the Code of Criminal Procedure, 1973 or any other extant statutory enactment for redressal of her grievance.

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C.V. NAGARJUNA REDDY, J

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M.S.K. JAISWAL, J

21-12-2016

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