

**THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE DR.JUSTICE SHAMEEM AKTHER**

WRIT PETITION NO.27679 OF 2017

O R D E R

(Per Hon'ble Sri Justice Sanjay Kumar)

The petitioner seeks a writ of habeas corpus to produce his wife, Aruna, the daughter of the fourth respondent, from his illegal custody and to hand her custody over to him.

The Sub-Inspector of Police, IV Town Police Station, Kurnool, filed a counter-affidavit stating that K.Aruna was a minor, being 17 years of age as on 03.12.2016, when her mother lodged a complaint with IV Town Police Station, Kurnool, stating that she had gone missing. While so, K.Aruna herself appeared before the Station House Officer and informed him that she had developed friendship with the petitioner herein and that both of them had eloped on 26.11.2016 to Yemmiganur. She further stated that from there, they went to Mantralayam on 30.11.2016 and got married but after their return to Kurnool from Hyderabad on 05.12.2016, the petitioner dropped her at Chennamma Circle. However, her parents refused to take her back when the police informed them and K.Aruna also did not show any interest in staying with her parents. Thereupon, she was sent to the Project Director, Women and Child Welfare Department, Kurnool, who handed her custody over to Swadhar Shelter Home, Shanthi Educational Society, Kurnool, on 05.12.2016 and since then she has been staying there.

In the light of the aforestated facts, which remain unrebutted, as the petitioner did not choose to file a reply affidavit, we are of the opinion that no cause is made out for issuing a writ of habeas corpus

as there is no indication of any illegal detention of K.Aruna who seems to have also attained the age of majority in the interregnum.

The writ petition is therefore dismissed leaving it open to the petitioner to work out his remedies in accordance with law. Pending miscellaneous petitions, if any, shall also stand dismissed. No order as to costs.

SANJAY KUMAR, J

DR. SHAMEEM AKTHER, J

6th SEPTEMBER, 2017

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