

THE HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY
AND
THE HON'BLE MS. JUSTICE J. UMA DEVI

WP NO. 20093 of 2017

Date of Order: 27.6.2017

Between:-

Mr. Syed Abdul Wahab

...Petitioner

And

The State of Telangana and others

...Respondents

Counsel for petitioner : Mr. A. Mahadev

Counsel for respondents : Asst. Govt. Pleader for Home, (TS)

The Court made the following order,



HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY
AND
HON'BLE MS. JUSTICE J. UMA DEVI

WP No. 20093 of 2017

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

Petitioner who is the father of one Syeda Mehraj (for short "the alleged detainee") filed this writ petition complaining that respondent No.5 has not been permitting him and his wife even to visit his home and see the alleged detainee.

At the hearing, Mr. A. Mahadev, learned counsel for the petitioner submitted that the respondent No.5 has kept the alleged detainee in custody curtailing her freedom completely and that in that regard the petitioner has given a police report on 2.6.2017.

Learned Asst. Government Pleader for Home (TS), however, pointed out that copy of the alleged report has not been filed along with the writ petition.

Admittedly respondent No.5 is the husband of the alleged detainee. If he is not permitting the parents of the alleged detainee to see her, he cannot be compelled by this Court in exercise of its habeas corpus jurisdiction to come to the Court and produce his wife to enable the petitioner and his wife to meet her. In case the respondent No.5 has held the alleged detainee in captive against her will, the petitioner shall be free to set criminal law into motion.

As noted above, though the learned counsel for the petitioner stated that the petitioner has given a police report, a copy of the same

has not been filed. If a report has been given as claimed by the petitioner, respondents 2 and 3 are directed to act in accordance with law. If the petitioner feels dissatisfied with the action of respondents 2 and 3 on his report, if any given to them, he shall be free to avail appropriate remedy under the Code of Criminal Procedure.

Subject to the above observations, this writ petition is dismissed.

C.V. NAGARJUNA REDDY, J

Dt. 27.6.2017
KR

J. UMA DEVI, J

