

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

WRIT PETITION No.20859 of 2017

DATE:- 04-07-2017

Between:

Boya Ramudu Kottinti

..... PETITIONER

AND

The State of Telangana, rep.by its Principal Secretary,
Home Department, Secretariat,
Hyderabad and 3 others

.....RESPONDENTS

COUNSEL FOR THE PETITIONER : Sri K.KISHORE KUMAR

COUNSEL FOR RESPONDENTS : AGP attached to A.G (TS)



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.20859 of 2017

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

The father of one Kottinti Krishnaveni (hereinafter referred to as "the alleged detenu") filed this writ petition for issue of habeas corpus, directing the respondents to trace and produce the detenu before the Court.

At the hearing, respondent No.4 has produced the detenu. The learned Assistant Government Pleader, attached to the Advocate General (TS), submitted that the detenu, who was a minor, was living with a person, by name, Linganna @ Bujji, and that on the report given by the petitioner, FIR No.33/2017 was registered by Aize Police Station, for the offence under Section 336-A IPC, and that he has been arrested and remanded to judicial custody. He has further submitted that as the criminal case is pending and the detenu is not willing to join the company of her parents, she is kept at State Home, Mahaboobnagar.

The parents of the detenu are present. At the hearing, the detenu informed the Court that as she has married the said Linganna @ Bujji, she is not willing to join her parents, and that she prefers to be at State Home till she attains the majority.

In the light of the above facts, it is not desirable to force the alleged detenu to join her parents against her will. If the petitioner so chooses, he is entitled to approach the appropriate Court of law seeking

custody of his daughter. Respondent No.4 shall handover the custody of the detenu to the State Home at Mahaboobnagar.

Subject to the above observations, the Writ Petition is dismissed.

C.V.NAGARJUNA REDDY,J

M.S.K.JAI SWAL,J

Date: 04.07.2017
Dsr

