

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

WRIT PETITION No.8071 of 2017

DATE:- 11-07-2017

Between:

Ballani @ Malle Hepsiba Victoria

..... PETITIONER

AND

The State of Andhra Pradesh, rep.by its Principal Secretary,
Home Department, Secretariat,
Velagapudi, Amaravathi,
Guntur District and 6 others

.....RESPONDENTS

COUNSEL FOR THE PETITIONER : None appeared

COUNSEL FOR RESPONDENTS : AGP for Home (AP)



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.8071 of 2017

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

This writ petition is filed for issue of habeas corpus, directing the respondents to produce one Malle Sandeep Prasanna Kumar, S/o.Udaya Bhaskar (for short "the alleged detenu") before the Court and set him at liberty.

On behalf of the respondents, respondent No.7-the Sub-Inspector of Police, Karlapalem Police Station filed counter affidavit, wherein it was *inter alia* averred that the alleged detenu is Accused No.3 in Cr.No.3/2017, registered for the offence under Section 420 r/w.Sec.34 IPC, of Vedullapalli Police Station, and that in connection with the said case, he was arrested on 08.03.2017 and produced before the jurisdictional Magistrate, Bapatla on the same day, who remanded him to judicial custody. It is further averred that in pursuance of the said remand order, the alleged detenu was lodged at Sub-Jail, Bapatla on 08.03.2017.

Though this counter affidavit was filed as far back as 13.03.2017, no reply affidavit was filed, controverting the above noted averments.

At the hearing, the learned counsel for the petitioner is not present.

In the light of the facts, pleaded by the respondents in the counter affidavit, as the alleged detenu is presently under judicial custody, having been arrested in connection with a criminal case, the relief claimed in the writ petition cannot be granted.

The Writ Petition is, accordingly, dismissed.

C.V.NAGARJUNA REDDY,J

M.S.K.JAI SWAL,J

Date: 11.07.2017
Dsr

