

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

WRIT PETITION NO.27717 OF 2017

O R D E R

(Per Hon'ble Sri Justice Sanjay Kumar)

The petitioner seeks a writ of habeas corpus to declare the action of the Station House Officer, Munugode Police Station, Nalgonda District, in illegally confining his family members, Fahad alias Farhan and Tamjeed, as illegal and consequently direct the police authorities to produce the two of them before this Court and set them free.

The Sub-Inspector of Police, Munugode Police Station, Nalgonda District, filed a counter-affidavit stating that Fahad alias Farhan was arrayed as A2 in Crime No.141 of 2017 on the file of Munugode Police Station, which was registered under Section 420 IPC, and he was arrested on 18.08.2017. After complying with the formalities of arrest, he was produced before the Judicial First Class Magistrate, Nalgonda, and was remanded to judicial custody. He is stated to be presently lodged at District Jail, Nalgonda. In so far as Tamjeed is concerned, the Sub-Inspector of Police stated that he is not wanted in any case which is pending investigation in his Police Station and as such, the question of detaining him did not arise.

These counter-affidavit averments are not rebutted by the petitioner by way of a reply affidavit.

That being so, we find no reason to suspect that Tamjeed is being detained illegally and as regards Fahad alias Farhan, it is for the petitioner to take necessary steps in accordance with law to

secure his release in accordance with law, as he has already been remanded to judicial custody in relation to a criminal case.

The writ petition is accordingly dismissed. 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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