

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

WRIT PETITION No.24056 of 2017

ORDER: (Per Hon'ble Sri Justice Sanjay Kumar)

This writ petition was filed seeking a writ of habeas corpus for production of the petitioner's daughter-Smt. Lavanya (29 years) and her two sons, viz., Ashirith Reddy (9 years) and Ashwin Reddy (7 years), who are alleged to have gone missing since 24.06.2017.

The Inspector of Police, Moinabad Police Station, Cyberabad, filed a counter affidavit stating that Crime No.294 of 2017 was registered under Section 498-A I.P.C. and also under the head 'woman-children' missing pursuant to the complaint dated 25.06.2017 made by the son of the petitioner as regards the missing lady and her children. While investigation in this crime was under progress, the Inspector of Police, Moinabad Police Station, Cyberabad, is stated to have received a phone call on 05.07.2017 from the missing woman and she stated that she was at present staying at Vijayawada and there was no need for the police to trace her and in the event the police located her, she would commit suicide. This fact was intimated to the complainant and on collecting information, the police came to know that the missing woman made the phone call from a coin box located at Mogalrajapuram area of Vijayawada. A team was deputed to Vijayawada and the police traced out the coin box at Gokul Graphics, opposite Siddardha Academic Gate, Vijayawada city area, wherefrom the missing woman had made the phone call. They also collected CC TV footage from a nearby shop, wherein her movements were recorded. The brother of the missing woman, who accompanied the police party, identified her as his sister.

In the light of the aforesaid developments, it is clear that the missing woman, an adult, is deliberately staying away and there is no indication of her illegal detention, requiring exercise of writ jurisdiction and more particularly, for issuance of a writ of habeas corpus.

The writ petition is therefore dismissed. Pending miscellaneous petitions, if any, shall also stand dismissed. No order as to costs.

SANJAY KUMAR, J

Dr. SHAMEEM AKTHER, J

8th August, 2017

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