

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY
AND
THE HON'BLE SRI JUSTICE GUDISEVA SHYAM PRASAD

WRIT PETITION No.6300 of 2018

27.02.2018

Between:

Gudimetla Soma Shekar Reddy

..Petitioner

and

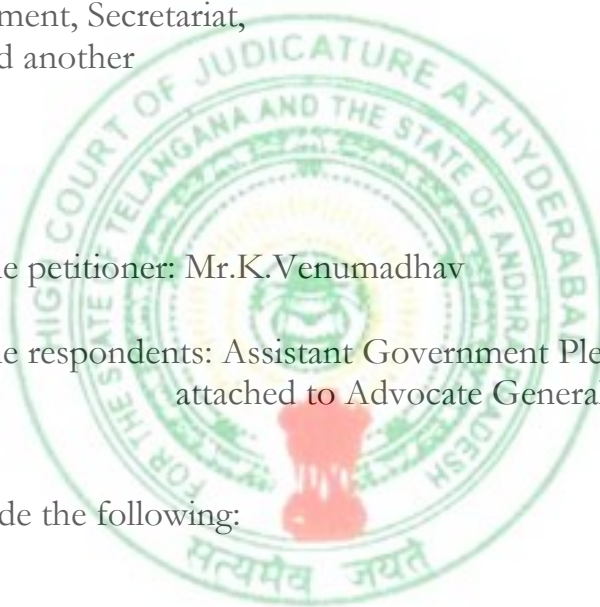
The State of Telangana,
represented by its Principal Secretary,
Home Department, Secretariat,
Hyderabad and another

..Respondents

Counsel for the petitioner: Mr.K.Venumadhav

Counsel for the respondents: Assistant Government Pleader
attached to Advocate General (T.S.)

The Court made the following:



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

This writ petition is filed for issue of *Habeas Corpus* directing the respondents to produce the petitioner's father – G.Suryanarayana Reddy @ Suresh Reddy (for short –‘the alleged detenu’) before the Court and set him at liberty.

2. At the hearing, the learned Assistant Government Pleader attached to the learned Advocate General (T.S.) appearing for the respondents has submitted that in pursuance of the notice issued under Section 41-A Cr.P.C., the alleged detenu, who is accused in Crime No.85 of 2018 of Bachupally Police Station registered for the offences punishable under Sections 468, 471 and 420 I.P.C., attended the Police Station; that on 23.02.2018, he was arrested and on being produced before the jurisdictional Magistrate, he was remanded to judicial custody.

3. Mr.K.Venumadhav, learned counsel for the petitioner, has submitted that he has filed photos in the form of C.D. showing that the alleged detenu was kept in the Police Station on 19.02.2018 itself and that till his arrest was formally shown on 23.02.2018, the alleged detenu was illegally detained in the Police Station.

4. The question whether the alleged detenu was taken into illegal custody on 19.02.2018 itself is a disputed question of fact, which cannot be adjudicated in a writ petition. If the petitioner and/or

the alleged detenu have any grievance in this regard, they are entitled to initiate civil and criminal proceedings against the Police officials responsible for the alleged illegal detention.

5. Subject to the liberty given to the petitioner and/or the alleged detenu as above, the Writ Petition is disposed of as infructuous.

C.V.NAGARJUNA REDDY, J

GUDISEVA SHYAM PRASAD, J

27th February, 2018
GHN

