

HON' BLE SRI JUSTICE C.PRAVEEN KUMAR
AND
HON' BLE SRI JUSTICE T.AMARNATH GOUD

WRIT PETITION No.7472 of 2018

ORDER : (per Hon'ble Sri Justice C.Praveen Kumar)

1) The present Writ Petition came to be filed by the brother of the detinue by name Sennamonnala Shiva Kumar seeking a direction to respondent Nos.1 to 3 to produce the sister of the petitioner by name Srilatha, who is aged about 14 years, before this Court and release her from illegal confinement of respondent No.4 and consequently direct the police to investigate the case registered against respondent No.4.

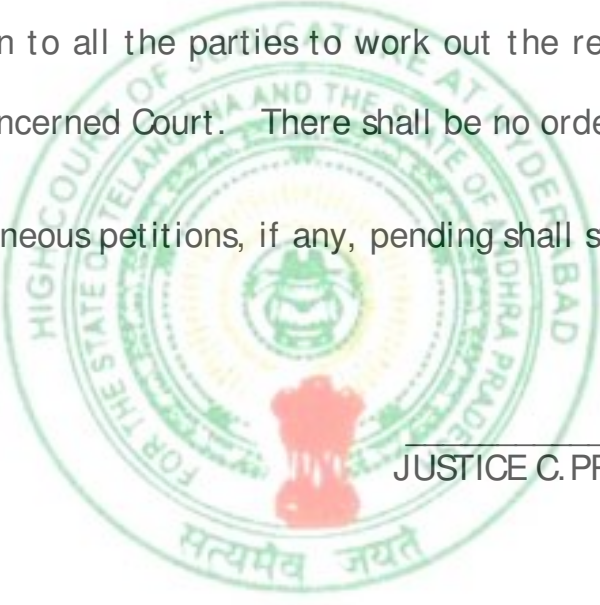
2) On 21.03.2018, this Court orally directed the respondent to trace and produce the missing girl before this Court. Accordingly, today the police were able to trace the detinue while she was in the custody of respondent No.4. She is produced before this Court, along with her mother.

3) Learned counsel for the writ petitioner identified the detinue and also her mother. Learned counsel appearing for respondent would submit that a case in Crime No.45 of 2018 of Narsingi Police Station was registered against respondent No.4 for an offence punishable under Section 366-A of IPC and subsequently respondent No.4 was arrested on 21.03.2018. It is further stated that after tracing out the girl from the custody of respondent No.4, she is being detained in Kasturba Gandhi National Memorial Trust, Hydershakote. Further, a perusal of the material placed before

the Court would show that the detinue is minor as per the details furnished in Aadhar Card, wherein her date of birth was shown as in the year 2004. The bonafide and conduct certificates filed by the respondents also indicate the date of birth of the detinue as 09.11.2002. Either way, she is less than 16 years as on today.

4) Since respondent No.4 is in judicial custody and having regard to the age of the alleged detinue, we feel that the Writ Petition stands closed, giving custody of the minor girl to the mother, who is present before this Court. It is made clear that it is always open to all the parties to work out the remedies, if any, before the concerned Court. There shall be no order as to costs.

5) Miscellaneous petitions, if any, pending shall stand closed.



JUSTICE C. PRAVEEN KUMAR

JUSTICE T. AMARNATH GOUD

27.03.2018
vhb