

HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

AND

HON' BLE SRI JUSTICE T. AMARNATH GOUD

WRIT PETITION No. 7866 OF 2018

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

1) The present writ petition came to be filed under Article 227 of the Constitution of India, seeking issuance of writ of habeas corpus directing respondent Nos.3 and 4 to produce Buddalla Varalakshmi W/o. Devullu and Buddalla Ravi S/o. Devullu, for their illegal detention in the police station for the last two days without any complaint, at the instance of respondent Nos.5 and 6, as illegal, arbitrary and violative of principles of natural justice.

2) Respondent No.3 filed counter stating that detenu No.1 is the mother of detenu No.2. Detenu No.2 is an accused in Crime No.26 of 2018 of Payakaraopeta Police Station, registered for the offences punishable under Sections 366, 376, 506 IPC and Section 4 of the POCSO Act. The alleged detenu No.2 who is juvenile in conflict with law came to the police station along with his mother and paternal uncle and surrendered before the police on 08.03.2018 at 8.30 hours. He was produced before the Juvenile Justice Board, Visakhapatnam on the same day and has not complained either about illegal detention or ill treatment in the hands of the police. He was admitted in Juvenile Observation Home at Arilova, Visakhapatnam.

3) As per the counter, detenu No.2 came to the police station along with detenu No.1 and surrendered before the police on 08.03.2018 and on the same day he was produced before the Juvenile Justice Board, Visakhapatnam, as he was a juvenile and as per the orders of the Court, he was admitted in Juvenile Observation Home.

4) In view of the averments in the counter, which are not denied by way of a reply, the writ petition is dismissed.

5) There shall be no order as to costs. Miscellaneous Petitions, pending if any in this Writ Petition shall stand closed.

28.03.2018  
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C. PRAVEEN KUMAR, J

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T. AMARNATH GOUD, J