

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

WRIT PETITION No.14086 of 2018

Date: 05.06.2018

Between :

Smt. Shaik Zareena Begum

... Petitioner

And

The State of Andhra Pradesh,
rep. by its Principal Secretary
Home Department,
Secretariat, Velagapudi, Amaravathi,
Guntur District and others.

... Respondents

COUNSEL FOR PETITIONER : Mr. Shaik Jilani

COUNSEL FOR RESPONDENTS : A.G.P. for Home (A.P.)

THE COURT MADE THE FOLLOWING:

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

This writ petition is filed for issue of Habeas Corpus directing the respondents to produce the husband of the petitioner, by name Shaik Khajavali (the alleged detenu) from the illegal detention of respondent No.4 before this Court and set him at liberty.

Respondent No.3 has filed a counter affidavit wherein it is stated that he is the Investigation Officer in Crime No.21/2018 of V Town Police Station, Nellore District, wherein the alleged detenu was arrayed as Accused No.3. He has further stated that A.1 and A.2 were arrested and produced before the jurisdictional Magistrate on 03.03.2018, while A.3 is absconding and is not in the police custody.

Though the counter affidavit was filed as far back as 23.04.2018, no reply affidavit is filed by the petitioner contraverting the averments in the counter affidavit. As the plea of illegal custody of the alleged detenu is denied in the counter affidavit, it is not possible to direct the respondents to release the alleged detenu from their purported custody.

In this view of the matter, the writ petition is dismissed.

C.V. NAGARJUNA REDDY, J

GUDISEVA SHYAM PRASAD, J

05.06.2018.
Msr

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