

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

WRIT PETITION No.18289 of 2018

Date: 12.06.2018

Between :

Velpula Shiva Kumar

... Petitioner

And

The State of Telangana,
rep. by its Principal Secretary to Government,
Home Department,
Secretariat, Hyderabad and others.

... Respondents

COUNSEL FOR PETITIONER : Smt. K. Lakshmi Manohar

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

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 petitioner's father, by name Sri Bhaskar Velpula, s/o. Cheralu, (for brevity "the alleged detenu") before the Court and set him free.

At the hearing, the learned Assistant Government Pleader for Home, representing the learned Advocate General (T.S.), on instructions, submitted that the alleged detenu was arrested on 04.06.2018 in connection with Crime No.176/2018 of Mattewada (CCS) Police Station, Warangal District, registered for the offence punishable under Section 25(1)(b) of the Arms Act, 1959 and produced before the V Additional Judicial First Class Magistrate, Warangal, on 05.06.2018, who in turn remanded him to the judicial custody.

Smt. K. Lakshmi Manohar, learned counsel for the petitioner, submitted that though the alleged detenu was taken into illegal custody on 30.05.2018, the respondents are now coming out with a false plea that he was arrested only on 04.06.2018.

With the arrest and production of the alleged detenu before the jurisdictional Magistrate, the writ petition has outlived its purpose. However, if the petitioner is aggrieved by the alleged illegal custody of the alleged detenu, which falls in the realm of the disputed question of fact, the petitioner or the alleged detenu shall

be free to avail appropriate legal remedies, both civil and criminal, that may be available to them in law, if they are so advised, against the respondents for the alleged illegal detention.

Subject to the liberty given as above, the writ petition is disposed of as infructuous.

C.V. NAGARJUNA REDDY, J

GUDISEVA SHYAM PRASAD, J

12.06.2018.
Msr



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