

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

WRIT PETITION No.18372 of 2018

Date: 12.06.2018

Between :

Chella Karthik Sai

... Petitioner

And

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

... Respondents

COUNSEL FOR PETITIONERS : Smt. Avula Krishnaveni

COUNSEL FOR RESPONDENTS : A.G.P. for Home attached  
to A.G. (T.S.) – R1 to R3

Mr. O. Manohar Reddy – R4

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 Smt. Sanjana (for brevity "the alleged detenu"), who is the wife of the petitioner, before the Court, restore her custody to the petitioner and provide protection to them.

In pursuance of the order dated 05.06.2018 passed by this Court, the police have produced the alleged detenu before the Court. During our interaction with the alleged detenu, she informed that though she was coerced to marry the petitioner, the same is not a valid marriage for several reasons; that she is presently living with her parents on her own volition and that she does not want to join the company of the petitioner.

The learned Assistant Government Pleader attached to the office of the learned Additional Advocate General (T.S.) submitted that at the instance of the alleged detenu FIR.No.68/2018 has been registered in the Yellandu Police Station for the offences punishable under Sections 366 and 506 IPC and that the same is pending.

It has also come out during hearing that the alleged detenu has filed O.P.No.491 of 2018 on the file of the Family Court, City Civil Court, Hyderabad, for annulling the marriage; that in the said O.P., I.A.No.553 of 2018 has been filed for grant of an injunction restraining the petitioner from interfering with the life and personal

liberty of the alleged detenu and that an order to that effect was also passed by the Family Court.

Upon instructions from respondent No.4, Sri O. Manohar Reddy, learned counsel, submitted that his client is prepared to withdraw the criminal cases as well as the above I.A.No.553 of 2018 in O.P.No.491 of 2018, provided the petitioner returns all the belongings of the alleged detenu, including her original Certificates kept in a bag, which is in possession of the petitioner.

Mrs. K. Sesharajyam, learned Senior Counsel representing Smt. Avula Krishnaveni, learned counsel for the petitioner, on instructions, submitted that his client will handover the bag containing all the belongings of the alleged detenu to Sri O. Manohar Reddy, learned counsel for respondent No.4 within 2 days from today. The petitioner also agreed to withdraw the complaint given by him against respondent No.4 in respondent No.3 Police Station.

In view of the fact that the alleged detenu has expressed her desire to remain with her parents, the relief claimed by the petitioner for custody of the alleged detenu to him cannot be granted.

The writ petition is accordingly dismissed, however, by placing on record the undertakings given by both the parties, as referred to above.

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C.V. NAGARJUNA REDDY, J

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GUDISEVA SHYAM PRASAD, J

12.06.2018.

Msr



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