

The Hon'ble Sri Justice C.V.Nagarjuna Reddy
and
The Hon'ble Smt. Justice Kongara Vijaya Lakshmi

Writ Petition No.27433 of 2018

Date: 07.08.2018

Between:

T. Narasaiah

... Petitioner

and

The State of Telangana, rep. by its
Principal Secretary, Department of Home,
Secretariat Buildings, Hyderabad and 3 others

... Respondents

Counsel for the Petitioners: Mr.Narasimhulu Parise

Counsel for the respondents: AGP attached to AG (TG)



The Court made the following:

Order: (Per the 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 son by name Tinnaluru Mahesh (for short 'the alleged *detenu*') before this Court and set him free.

At the hearing, the learned Assistant Government Pleader for Home, representing the learned Advocate-General for the State of Telangana, on instructions, submitted that FIR No.664 of 2018 of Kukatpalli Police Station was registered on 16.07.2018 against the alleged *detenu*, that he was apprehended on 04.08.2018 and produced before the jurisdictional Magistrate on 05.08.2018 and that he was remanded to judicial custody by the jurisdictional Magistrate on the said date.

Learned counsel for the petitioner, contrary to the claim of the respondents, submitted that the alleged *detenu* was taken into illegal custody on 20.07.2018.

The issue as to whether the alleged *detenu* was taken into illegal custody, as claimed by the petitioner, falls in the realm of disputed question of fact, which cannot be adjudicated by this Court in a Writ Petition. If the petitioner/alleged *detenu* are so

interested, they are entitled to avail appropriate legal remedy before the competent Court for the alleged illegal custody.

Subject to the liberty given as above, the Writ Petition is disposed of as infructuous.

(C.V.Nagarjuna Reddy, J)

(Kongara Vijaya Lakshmi, J)

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BSS/NSR



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