

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

Writ Petition No.27417 of 2018

Date: 07.08.2018

Between:

Syed Asra Nayeen

... Petitioner

and

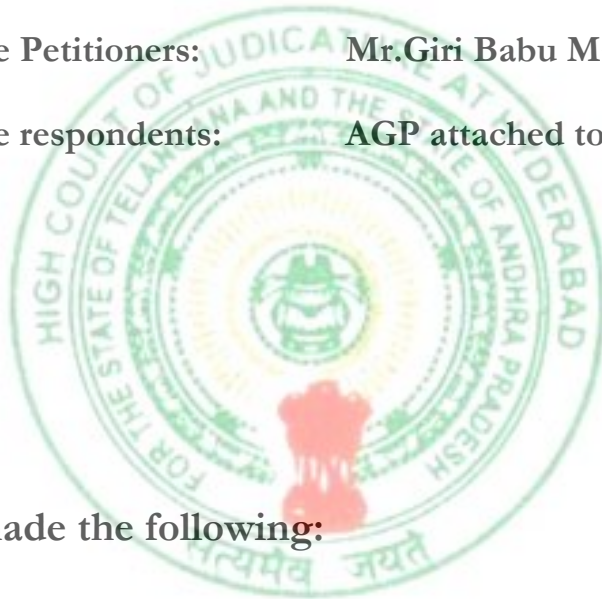
The State of Telangana, rep. by its
Principal Secretary, Department of Home,
Secretariat Buildings, Hyderabad and 5 others

...Respondents

Counsel for the Petitioners: Mr.Giri Babu Marthi

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 husband by name S.M. Barkathulla @ Akbar before this Court and set him at liberty.

At the hearing, the learned Assistant Government Pleader for Home, representing the learned Advocate-General for the State of Telangana, on instructions, submitted that in connection with FIR No.725 of 2018 of Banjara Hills Police Station, the alleged *detenu* was arrested on 02.08.2018 and produced before the jurisdictional Magistrate on 03.08.2018 and that the alleged *detenu* was remanded to judicial custody.

Learned counsel for the petitioner, while admitting the above position, however, submitted that the alleged *detenu* was subjected to third degree methods.

Inasmuch as, the alleged *detenu* has been arrested and produced before the jurisdictional Magistrate and he is presently in judicial custody, the cause in the Writ Petition does not survive for adjudication.

The Writ Petition is, accordingly, disposed of as infructuous.

However, the alleged *detenu* is at liberty to avail appropriate legal remedies, if he was subjected to third degree methods by the police during the custody.

(C.V.Nagarjuna Reddy, J)

(Kongara Vijaya Lakshmi, J)

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BSS/NSR



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