

The Hon'ble Sri Justice C.V.Nagarjuna Reddy

and

The Hon'ble Sri Justice Gudiseva Shyam Prasad

Writ Petition No.29900 of 2018

Date: 12.09.2018

Between:

Menda Lakshmi

..Petitioner

and

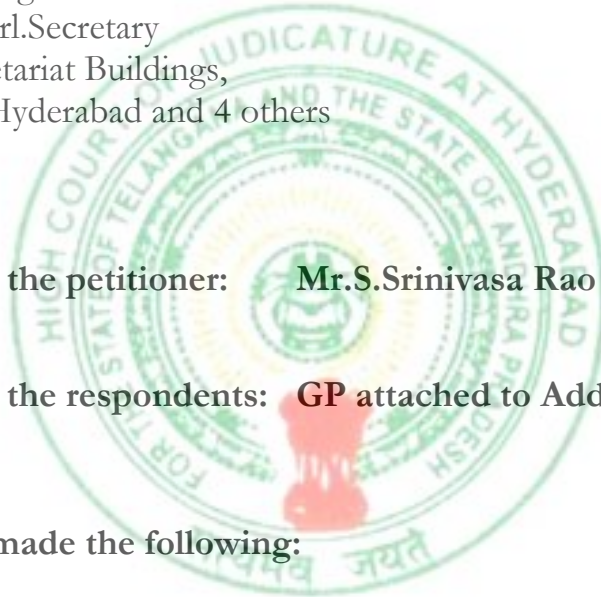
State of Telangana
Rep. by its Prl.Secretary
Home, Secretariat Buildings,
Secretariat, Hyderabad and 4 others

..Respondents

Counsel for the petitioner: Mr.S.Srinivasa Rao

Counsel for the respondents: GP attached to Addl.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- Police to produce the petitioner's husband- Menda Seetharamulu (for short 'the *detenu*') before the Court and set him at liberty.

A detailed counter-affidavit has been filed by respondent No.5- Inspector of Police, Dundigal Police Station, Cyberabad, wherein he has *inter alia* stated that report was given by the petitioner on 09-08-2018 at Dundigal Police Station stating that since 6.00 p.m., on 08-08-2018, the alleged *detenu*, who was working in Bonthapally Chemical Company, was found missing; that the efforts made by her to trace her husband went in vain; and that therefore, she gave his particulars along with his photograph and requested to take necessary action.

The measures taken by the respondents on receipt of the said report have been enumerated in detail in Paragraph Nos.4 to 7 of the counter-affidavit, which are reproduced below:

“It is submitted that, based on her complaint, a case in Crime No.423/2018 under head “Man Missing” was registered on 9.8.2018 and taken up for investigation. During the course of investigation, the Investigating

Officer (S.I. of Police) examined the complainant and recorded her detailed statement, in which she corroborated with the complaint. Later, the Investigating Officer visited the scene of offence, caused discreet enquiries, secured the presence of two mediators and drafted rough sketch of the scene. Thereafter, he prepared Look Out Notice and sent to all Station House Officers of Cyberabad, Rachakonda and Hyderabad Commissionerates giving descriptive particulars of the Missing Man along with his photograph requesting them to inform the Dundigal Police Station if they come across any clues about the Missing Man. He also flashed Radio Message to all the Police Stations giving descriptive particulars of the missing man and requested their cooperation in tracing the missing person. The Call data of the Mobile Phone used by the Missing Man was requisitioned from the concerned Service Provider for the purpose of investigation. Look Out Notices were displayed at all conspicuous and public gathering places requesting the General Public to inform the Police if they come across the Missing Man. The same were also distributed to the general public. The said fact was also got published through print as well as electronic media.

It is submitted that on 9.8.2018 the PC 3218, deputed by the Investigating Officer, made efforts to trace the Missing Man in Narsapur, Jinnaram, Gummadidala and Bollaram areas, but in vain. The said P.C. contacted the respective Police Stations to verify whether any accidents or deaths occurred in their limits matching with the Missing Man and did not get any information. On 14.8.2018 the PC 3218 visited neighbouring Police Stations areas and the Police Stations also for tracing the Missing Man, but in vain.

It is submitted that the Investigating Officer collected data of the mobile that was being used by the missing person from Service Provider on 19.8.2018 and verified the same, but did not useful information.

It is submitted that on 20.8.2018, the Investigating Officer visited the petitioner's house, examined and recorded the statement of Smt.Palamma, mother of the petitioner, but did not get any clues. The Investigating Officer also examined the Petitioner's neighbour Mr.A.Balreddy and recorded his statement, but no worthwhile information has come to light. The Investigating Officer examined the General Manager of the Company where the Missing Man worked before he was found missing, on 21-8.2018 and on examination, he stated that the Missing Man was working in the Production Department as a Processor since 3 years and he attended his job on 7.8.2018 night shift and after completion of duty hours, he left the work place. It is submitted that, on 22.8.2018 the Department has received Call Data of the Mobile Phone No.9676305303 used by the Missing Man and as per the said Call Data, the Police made efforts to find out the whereabouts of the Missing Man, but there were no clues. On 25.8.2018, the Investigating Officer verified criminal Intelligence Application matching the descriptive particulars of the missing person with that of the date available therein from the date of missing till 25.8.2018 and found that the said date is not found matching any of the unknown dead bodies. A team has been formed with PC Nos.5399 and 3218 to trace the whereabouts of the missing person, by getting clues. It is submitted that, the Respondent Police are making serious and strenuous efforts to trace the Missing Man and the investigation is pending.”

On carefully going through the contents of the counter-affidavit, we are convinced that respondent No.5-Inspector of Police has been taking all conceivable steps to trace out the whereabouts of the alleged *detenu*. Therefore, the petitioner is not entitled to the relief claimed in this Writ Petition.

This Writ Petition is, accordingly, dismissed.

As a sequel to dismissal of the Writ Petition, IA.No.1 of 2018, filed by the petitioner for interim relief, is disposed of as infructuous.



(C.V.Nagarjuna Reddy, J)

(Gudiseva Shyam Prasad, J)

Dt: 12th September, 2018
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