

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

AND

THE HON'BLE SRI JUSTICE T.AMARNATH GOUD

W.P.No.35050 of 2018

Date: 25.10.2018

Between:

Abrar Khan Durrani
S/o.Late Nasrullah Khan,
Aged about 56 years,
Occ: Advocate,
R/o.T-3, D.No.45-2-16/12,
Satyan Kirti Apartments,
Yesu Vari Street,
Jagannaikpur,
Kakinada-2

...

Petitioner

And

The State of Andhra Pradesh,
rep. by its Principal Secretary,
Home Department, Secretariat,
Velagapudi, Amaravathi,
Guntur district and
three others.

...

Respondents

Counsel for the Petitioner : Mr. M.Damodar Reddy

Counsel for the Respondents: A.G.P. attached to AG (AP)

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, declaring the action of respondents No.2 to 4 in not properly investigating into the complaint lodged by the petitioner for tracing out the whereabouts of his son Nawaz Sharif Khan Durrani (for short 'the alleged detenu') aged 6 years, allegedly in illegal custody and wrongful confinement of unknown persons since 24.09.2016, as illegal and arbitrary.

2. During the hearing, the police of respondent No.3 police station, produced the alleged detenu before the court. He is accompanied by his maternal grandmother. We have interviewed the alleged detenu, who informed us that he is happily staying with his maternal grandmother and that he is not willing to stay with his father .

3. In the light of the above facts, we are convinced that the alleged detenu is in safe custody of his maternal grandmother. If the petitioner wants custody of the alleged detenu, he is entitled to avail appropriate legal remedies available to him in common law.

4. Subject to the liberty given to the petitioner as above, the writ petition is dismissed.

5. As a sequel to the dismissal of the writ petition, I.A.No.1 of 2018 stands disposed of as infructuous.

(C.V.Nagarjuna Reddy, J)

(T.Amarnath Goud, J)

Date: 25th October, 2018

msb



