

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

and

The Hon'ble Sri Justice P.Keshava Rao

Writ Petition No.35946 of 2018

Dated 1st November, 2018

Between:

Chiranjeevi Sujatha

...Petitioner

and

1.The State of Andhra Pradesh

Rep. by its Prl.Secretary,

Home Dept., Secretariat,

Velagapudi, Amaravathi and 3 others.

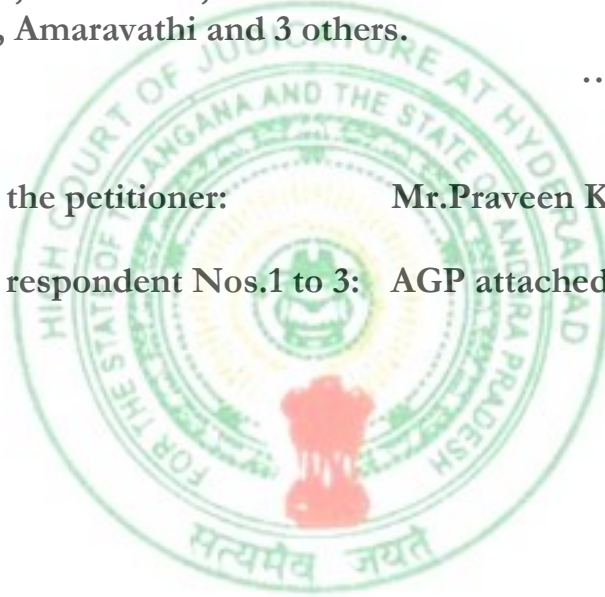
... Respondents

Counsel for the petitioner:

Mr.Praveen Kumar Challa

Counsel for respondent Nos.1 to 3:

AGP attached to AG (AP)



This Court passed the following:

Order: (per Hon'ble Sri Justice C.V.Nagarjuna Reddy)

This Writ Petition is filed for issue of Habeas Corpus directing respondent Nos.1 to 3 to produce the petitioner's daughter- Shaini Maney (for short 'the alleged *detenue*') before the Court and set her at liberty.

In pursuance of the direction issued by this Court, respondent No.3 has produced the alleged *detenue* from Swadaar Home, Mahilapraganam, Guntur. Respondent No.3 also ensured the presence of respondent No.4.

On our interaction with the alleged *detenue*, she stated that she married respondent No.4 on 21-09-2018 and that as respondent No.4 was arrested in connection with a crime registered, at the instance of the petitioner, for her alleged kidnap, she preferred to stay in Swadaar Home instead of with the petitioner. Respondent No.4 has placed before us his Secondary School Certificate showing his date of birth as 27-01-1996, as per which, he is aged more than 22 years.

As respondent No.4 has attained the marriageable age and the alleged *detenue* has also crossed 18 years of age, the petitioner is not entitled to seek the latter's custody against her will.

Therefore, the Writ Petition is dismissed, however, without prejudice to the right of the petitioner to avail

appropriate legal remedy, if she thinks that the marriage between the alleged *detenue* and respondent No.4 is not legal.

Respondent No.4 is directed to hand over the custody of the alleged *detenue* at Swadaar Home, Mahilapranaganam, Guntur, upon which she shall be left free by the said Home after observing the required legal formalities.

(C.V.Nagarjuna Reddy, J)

Dt: 1st November, 2018
lur

(P.Keshava Rao, J)

