

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

AND

THE HON'BLE SRI JUSTICE P.KESHAVA RAO

WRIT PETITION No.37493 of 2018

01.11.2018

Between:

Kottalanka Veera Bhadra Rao

..Petitioner

and

The State of Andhra Pradesh,
represented by its Principal Secretary,
Department of Home, Amaravati,
Guntur District, Andhra Pradesh and others

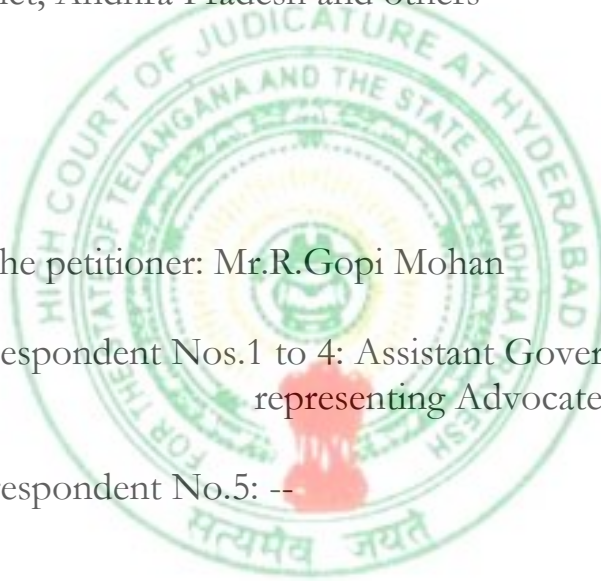
..Respondents

Counsel for the petitioner: Mr.R.Gopi Mohan

Counsel for respondent Nos.1 to 4: Assistant Government Pleader
representing Advocate General (A.P.)

Counsel for respondent No.5: --

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 Mrs.Vilaparathi Ajaya Satya Sai Lakshmi Mallika (for short 'the alleged detainee') before the Court and set her at liberty.

2. In pursuance of the direction issued by this Court, respondent No.4 filed a detailed counter-affidavit, wherein he has narrated various steps taken by him on receipt of the complaint from the sister of the alleged detainee and registering crime No.474 of 2018 under the head "Woman Missing" on 01.08.2018. It would be useful to reproduce all the action taken by the Police as contained in paragraph Nos.4 to 7 of the counter-affidavit, as under.

"4. It is submitted that, based on the above report, a case in Crime No.474/2018 under head "Woman Missing" was registered on 1.8.2018 and the Sub-Inspector of Police took up for investigation. The I.O. visited the complainant's house, secured the presence of the Complainant, Smt. Inavalli Sarva Mangala Devi/elder sister of the Missing Woman, and the Petitioner herein as L.Ws.1, 2 & 3. Later, Radio Messages were sent to all the SDPOs in Visakhapatnam, Vizianagaram and Srikakulam Districts with a request to cause enquiries about missing woman. Then prepared Look Out Notice of the Missing

Woman and submitted in the Criminal Intelligence System. Paper Pamphlets were also prepared, distributed among the public and pasted at all prominent places such as Railway Station, Bus stands and other areas. The Blue Colts men were pressed into service to cause enquiries about the missing woman at Gajuwaka area and search at the outskirts and other possible places. Thereafter, the I.O. visited Old Gajuwaka, Malkapurama, Sriharipuram, and Dhuvvada Railway Station and caused enquiries about the missing woman and also gave the descriptive particulars of the missing woman to the informants with a request to fish out clues about the missing woman.

5. It is submitted that, on 2.8.2018, the I.O. visited the scene of offence, secured the presence of L.W.4/Baiharevabatta Jyothi, sister of the complainant and L.W.5/Mantripragada Kumar Swamy, examined and recorded their statements. On 3.8.2018, the S.I. of Police visited NAD, Goapalapatnam areas and surrounding areas and caused enquiries about the missing person but could not get any useful information. On the same day the staff enquired about the missing woman with photograph in Lankelapalem area and surrounding areas but could not get any useful information. The I.O. addressed a letter to the Deputy Commissioner of Police (L&O), Visakhapatnam City to obtain the CDRs/CAF of the Phone Nos.8008121501, 9652039934 from 01-07-2017. On 4.8.2018 the details of the missing woman were published in the Daily Newspapers. On 6.8.2018 the CDRs were received.

On analysis, it is found that missing woman received phone calls and about 1747 messages from Mobile No.8008121501 used by Dokkada Santosh Kumar S/o Sanyasi rao, R/o Flat No.426, RH colony, new Dibbapalem, Peda Gnatayada Gajuwaka, Visakhapatnam City. It is submitted that, the Missing Woman has not taken the said Mobile along with her and it is available at the complainant's house. It is submitted that on the same day deputed staff to cause enquiries about the missing person with photograph to BC Road, Nellimukku, Seetanagram, Kanithi road areas and surrounding areas, but could not get any useful information.

6. It is submitted that, 7.8.2018, Dokkada Santosh Kumar was examined and recorded his statement. He stated that he is staying at Flat No.426, RH colony, new Dibbapalem, Peda Gnatayada Gajuwaka, Visakhapatnam City since 2 years along with his family members. He is working as a Contract worker in Naval Dockyard, Visakhapatnam. The missing woman is his neighbour. After having dinner, every day he used to walk on the terrace of the building. While so, the missing woman saw him and one day she gave her mobile number. They used to talk to each other and send messages in a friendly manner since two months. The missing woman never said anything against her husband. After her missing, she neither called him nor sent any messages to him. There was nothing else in between both of them, only phone conversation and sending messages friendly. It

is submitted that the said Dokkada Santosh Kumar is available at the said Flat even as on date. It is further submitted that, on 7.8.2018, the staff also caused enquiries about the missing person with photograph in Venkannapalem, Gangavaram, Peda Gantayada Kanithi road areas and surrounding areas but could not get any useful information.

7. It is submitted that on 10.8.2018, the I.O. examined and recorded the statement of L.W.6 Yendakurthi Narayanamma, who was residing at the opposite house of the complainant. On 15.8.2018, the I.O. along with staff moved at Sramikanagar, Drivers Colony, LBS Nagar, Pantulugarimeda, Dasamikonda, Autonagar areas and caused enquiries about the missing woman, but she was not traced. The I.O. also set up informants to elicit clues about the missing woman. On 30.8.2018, the I.O. along with staff moved in G.A. Colony, Kalikanagar, Chukkavanipalem, Mulagada, Sriramanagar, Srinivasanagar, Dr.Ambedkar Colony areas, caused enquiries about the missing woman, but she was not traced. Informants were also set up to elicit clues about the missing woman. On 2.9.2018 the I.O. along with staff moved at NAD Kotta Road, Goapalpatnam, Chinamusidivada, Pendurthi and surrounding areas and caused enquiries for the missing woman but she was not traced. In all the places enlisted informants to elicit clues about the missing woman.”

3. The above reproduced averments made by respondent No.4 show that the Police have left no stone unturned to trace the whereabouts of the alleged detainee and that in spite of the same, they could not succeed in their efforts. Therefore, we do not find any reason to keep this writ petition pending.

4. The Writ Petition is, accordingly, dismissed.

C.V.NAGARJUNA REDDY, J

P.KESHAHA RAO, J

01st November, 2018
GHN

