

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

AND

THE HON'BLE SRI JUSTICE T.AMARNATH GOUD

WRIT PETITION No.37628 of 2018

25.10.2018

Between:

P.Varavara Rao

..Petitioner

and

The State of Telangana,
represented by its Principal Secretary,
Home Department, Secretariat,
Hyderabad and others

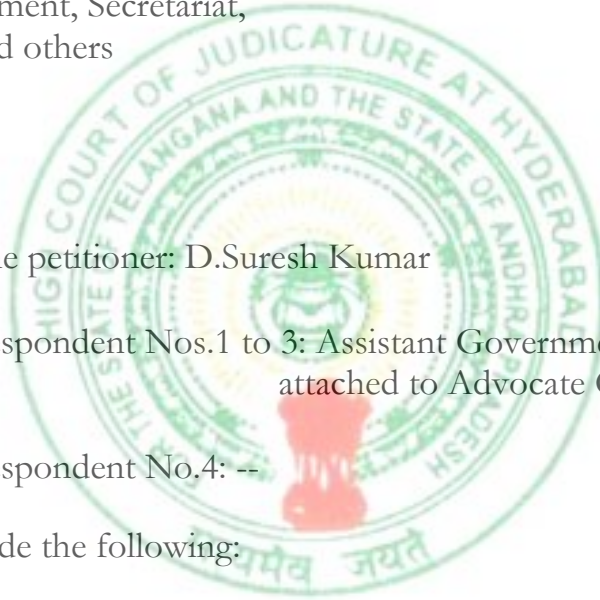
..Respondents

Counsel for the petitioner: D.Suresh Kumar

Counsel for respondent Nos.1 to 3: Assistant Government Pleader
attached to Advocate General (T.S.)

Counsel for respondent No.4: --

The Court made the following:



ORDER: (Per the Hon'ble Sri Justice C.V.Nagarjuna Reddy)

This writ petition is filed for the following relief:

“...to pass an order direction or a writ more particularly one in the nature of Writ of Habeas Corpus to set me at liberty i.e the Petitioner and Detenue Mr P.Varavara Rao S/o P Kodanda Rama Rao aged about 78 Years, a Retired Lecturer and well known Telugu Poet and Writer R/o Flat No 419, Hima Sai Heights Road No 6, Jawahar Nagar, Gandhinagar, Hyderabad 500 020, from the illegal custody of the 4th Respondent Maharashtra Police, who without following due procedure established by law and without there being any lawful order from any Court, with active help of Telangana Police conducted search and seizure in the detenue house, thus they further obtained a transit remand order to shift him to Pune which is illegal and unlawful as per Sections 41 (1) (b), 57 and 167 of CrPC., and also the guide lines of the Apex Court order given in DK Basu case, thereby infringing the Petitioner's Fundamental Rights enshrined under Article 21 and 22 of Constitution of India consequently direct the Respondent Police particularly Respondent No.4 to set him free by setting aside the Order of Chief Metropolitan Magistrate in passing Transit Remand order dated 28.09.2018 and further order the Respondents to return all the material that was seized on my name from the houses of my two daughters Anala and Pavana and Kranthi a journalist of Nagole...”

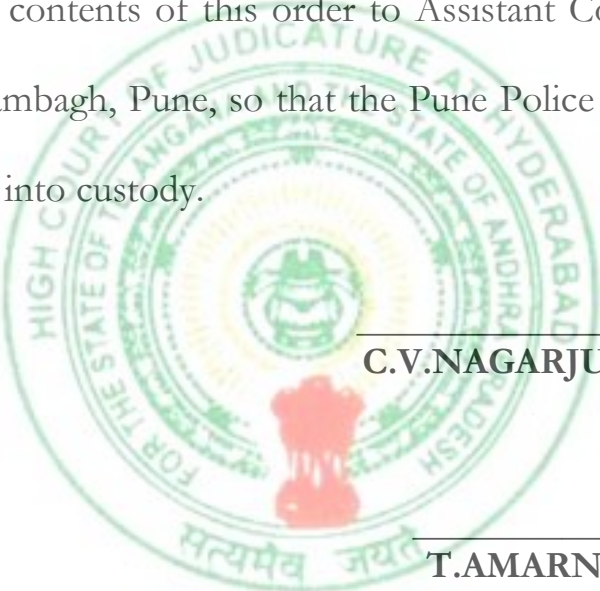
2. After a detailed hearing of the case, we agree with the statement of the learned Assistant Government Pleader that the petitioner is entitled to avail alternative remedies available to him under the Criminal Procedure Code.

3. Learned counsel for the petitioner, on instructions, also agreed to avail such remedies before the jurisdictional Courts. He however requested for extending the period of house arrest, as earlier ordered by the Hon'ble Apex Court, by four weeks to facilitate the petitioner to avail such remedies.

4. Having considered the aforementioned request, the house arrest of the petitioner is extended by three weeks from today. Meanwhile, the petitioner is entitled to avail appropriate legal remedies available to him.

5. Subject to the above observations and directions, the writ petition is disposed of.

6. The learned Assistant Government Pleader fairly offered to communicate contents of this order to Assistant Commissioner of Police, Vishrambagh, Pune, so that the Pune Police would not take the petitioner into custody.



C.V.NAGARJUNA REDDY, J

T.AMARNATH GOUD, J

25th October, 2018
TJMR

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY
AND
THE HON'BLE SRI JUSTICE T.AMARNATH GOUD



WRIT PETITION No.37628 of 2018
(Order of the Division Bench passed by the
Hon'ble Justice C.V.Nagarjuna Reddy)

Date: 25.10.2018

TJMR