

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

WRIT PETITION No.38022 of 2018

DATE: 23-10-2018

Between:

Mediseti Vijay Kumar

..... PETITIONER

AND

The State of Andhra Pradesh,
Rep.by its Principal Secretary,
Home Department, Secretariat Buildings,
Velagapudi, Guntur District,
Andhra Pradesh and 6 others

.....RESPONDENTS

COUNSEL FOR THE PETITIONER : Sri V.SAI KUMAR

COUNSEL FOR RESPONDENTS : Asst.Govt.Pleader, attached to
ADVOCATE GENERAL (AP)



THE COURT MADE THE FOLLOWING:

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

WRIT PETITION No.38022 of 2018

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

This writ petition is filed for issue of habeas corpus directing respondents Nos.2 to 6 to produce respondent No.7 (hereinafter referred to as "the alleged detenu") before the Court and set her at liberty.

At the hearing, the learned Asst.Govt.Pleader, representing the learned Advocate General (AP), on instructions, submitted that the petitioner and respondent No.7 are accused in Cr.No.300 of 2018, on the file of respondent No.5 police station, registered for the offences punishable under Sections 420, 468 and 471 r/w.Sec.34 IPC, that while the petitioner has been absconding, respondent No.7 was arrested on 16.10.2018 and produced before the Special Judicial First Class Magistrate for Prohibition & Excise, Kakinada on the same day, and that later he was remanded to judicial custody by the jurisdictional Magistrate.

Mr.V.Sai Kumar, learned counsel for the petitioner, submitted that though respondent No.7 has informed the learned Special Judicial First Class Magistrate for Prohibition & Excise, Kakinada about the ill-treatment meted out to her by the police during the custody, he has failed to note down and take action against the police. He requested for giving liberty to the petitioner and respondent No.7 to avail appropriate legal remedies for the ill-treatment of respondent No.7.

In the light of the fact that respondent No.7 is in judicial custody after being arrested, the Writ Petition is disposed of as infructuous, however, with liberty to the petitioner and respondent No.7, in terms of the prayer made.

C.V.NAGARJUNA REDDY,J

T.AMARNATH GOUD,J

Date: 23.10.2018
Dsr