

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

AND

THE HON'BLE SRI JUSTICE GUDISEVA SHYAM PRASAD

W.P.No.43740 of 2017

Date: 20.02.2018

Between:

Gopu Kanaka Durga Devi W/o.Sridhar Srinivas,
Aged 29 years, Occ: Household,
R/o.26-14-173, Raghuram Nagar,
Nagarampalem, Guntur.

...

Petitioner

And

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

...

Respondents

Counsel for the Petitioner : Syed Khader Mastan

Counsel for the Respondents: AGP 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 by the wife of Sridhar Srinivas (alleged detainee), seeking issue of writ of Habeas Corpus, directing the respondents to produce the alleged detainee.

2. At the hearing, Mr.Syed Khader Mastan, learned counsel for petitioner, submitted that after the filing of this writ petition, the alleged detainee was released from the illegal custody. He has submitted that the alleged detainee was chained and confined in a room of Lalapet Police Station and that the petitioner who has taken the photograph, has filed the same in support of her plea. He has also submitted that video film was also taken and when the earlier attempt to file the said film by way of C.D. having failed, the petitioner has sent the film to his WhatsApp.

3. The main purpose of this writ petition is to get the alleged detainee released from the alleged illegal custody. With the release of the alleged detainee by the police themselves, this purpose is served. The question whether the alleged detainee has been chained and confined in a room of the Police Station illegally or not, falls in the realm of disputed question of fact. If the petitioner is so interested, she is permitted to avail appropriate legal remedies available to her, both on civil and criminal sides.

4. Subject to this liberty given to the petitioner, the writ petition is disposed of as infructuous.

5. As a sequel to the disposal of the writ petition, miscellaneous applications if any, stand disposed of as infructuous.

(C.V.Nagarjuna Reddy, J)

(Gudiseva Shyam Prasad, J)

Date: 20th February, 2018

msb

