

HON'BLE SRI JUSTICE RAGHVENDRA SINGH CHAUHAN

AND

HON'BLE DR.JUSTICE SHAMEEM AKTHER

W.P.No.4576 OF 2019

ORDER: (Per Hon'ble RSC,J)

In compliance with the order dated 03.03.2019, the Station House Officer, Madhapur - the respondent No.5 has produced before this Court Mr.Regonda Bhaskar s/o. Manikyam, Mr.Phani Kaduluri s/o. Appanna Dora, Mr.Guduru Chandra Sekhar s/o. Gangadhar and Mr.Vikram Goud Rebbala s/o. Mallikarjun, the alleged detainees in this case.

The learned counsel for the petitioner has also produced the affidavit of Swapna wife of R.Bhaskar, detainee No.1, the affidavit of Kaduluri Appanna Dora son of Kaduluri Pamu, detainee No.2, and the affidavit of Gurudu Chaitra wife of Gurudu Chandra Sekhar, detainee No.3. The learned counsel for the petitioner informs this Court that since they could not contact the family members of Mr.Vikram Goud Rebbala, detainee No.4, their affidavit could not be produced before this Court.

This Court has spoken to all the detainees in camera. Mr.Regonda Bhaskar, detenu No.1 informs this Court that

on 02.03.2019, around 9:00 a.m., two police personnel came to his residence, and asked him to come with them to open the office of the company. According to him, they wanted to search the premises of the company. This Court asked Mr. Bhaskar whether prior to carrying out the search, any search warrant was shown by the police personnel to him or not? To this query, he clearly stated that no search warrant was shown by the police personnel. But nonetheless, since he was asked by the police personnel to take them to the company office, he went with them and by using his bio-metric signature he opened the office for their search. The police personnel also asked him to open the computer systems which were lying in the office. Since he did not know the passwords for opening the computer systems, he called Mr. Vikram Goud Rebbala. Subsequently, Mr. Vikram Goud Rebbala also reached the office premises.

According to Mr. Vikram Goud Rebbala, he opened about six to seven systems for the perusal and exploration of the Police personnel.

This Court has asked all the four detainees whether they were ever taken into police custody? And whether they were taken to the police station? To these queries, all

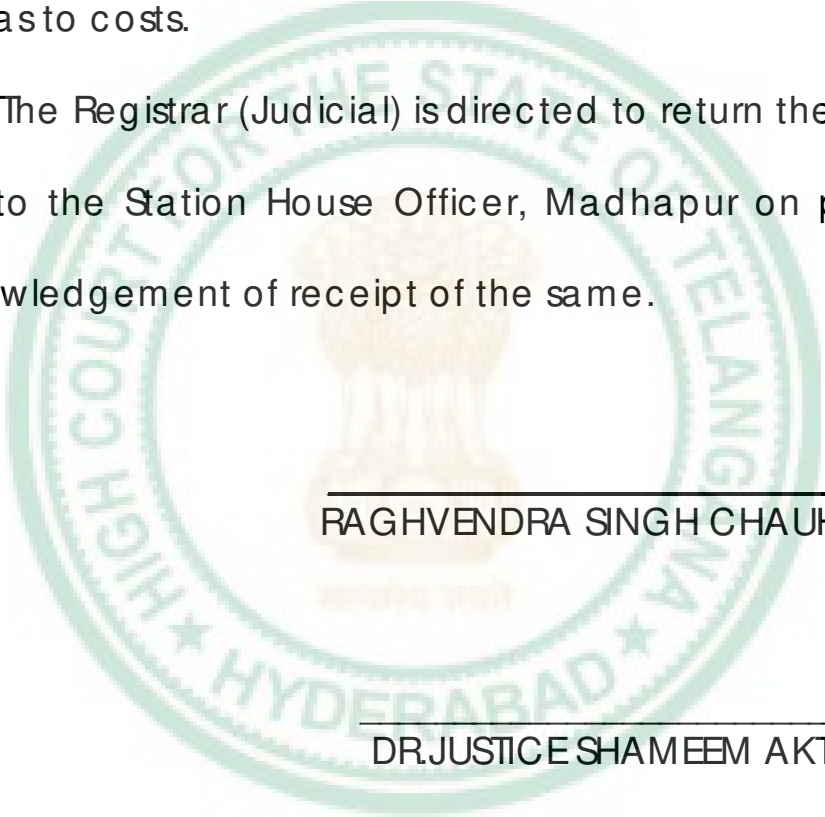
the four detenues have stated that they were never taken into police custody, or to a police station. According to them, they were furnished notice under Section 160 of Cr.P.C., for the police informed them that they are required for further investigation for recording their statements by the police on 03.03.2019. According to Mr. Bhaskar on 02.03.2019, he did not go back to his family. Instead, he went to his uncle's house and stayed with his uncle for the night. He also informs this Court that around 9:30 p.m., he called up his family to inform them that he is safe and sound, and that he has not been detained by the police. He had informed his family as according to him, by the evening, the electronic media had started flashing news that employees of the company were taken up by the police, and were detained by them. Therefore, he wanted to assure his family about his safety.

This Court also asked the three detenues whose wife/father have submitted affidavits before this Court about the truthfulness of these affidavits. According to the three detenues, they are unaware as to the basis on which these affidavits have been filed by wife/father. But the four detenues are categorical that they were never

apprehended by the police, or illegally detained by the police. According to them, they are free and at liberty.

Considering the statements made by the detenues themselves, this Court is of the opinion that the detenues have not been kept in illegal detention, and detenues presently are not in illegal detention. Therefore, there is no merit in the *habeas corpus* petition; it is dismissed. No order as to costs.

The Registrar (Judicial) is directed to return the Case Diary to the Station House Officer, Madhapur on proper acknowledgement of receipt of the same.



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RAGHVENDRA SINGH CHAUHAN, J

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DR. JUSTICE SHAMEEM AKTHER, J

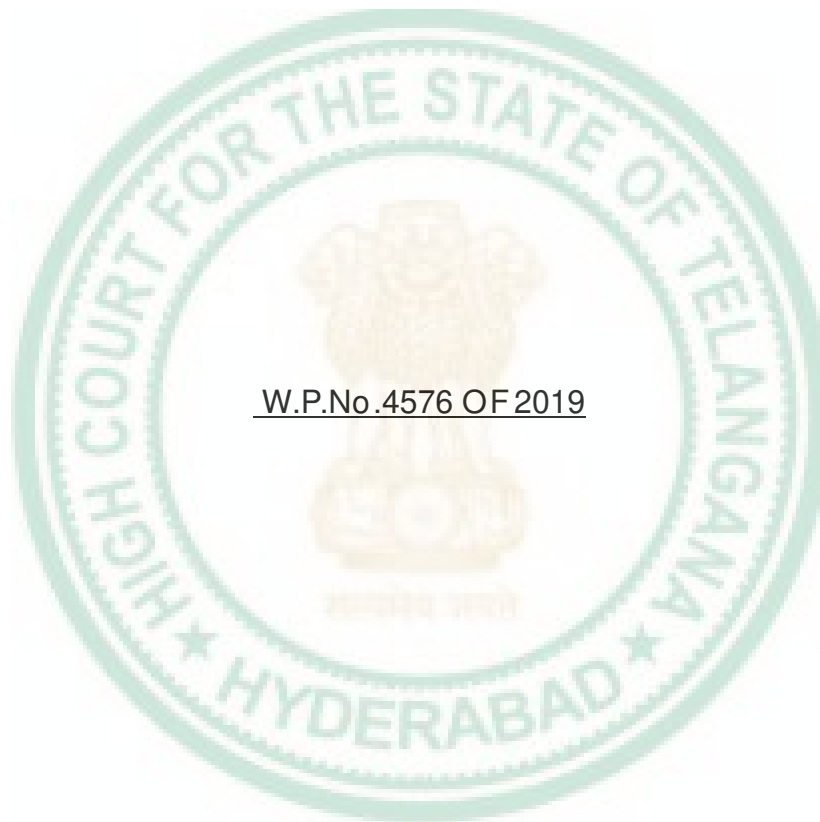
Date: 04.03.2019

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