

High Court for the State of Telangana

The Hon'ble The Acting Chief Justice Raghvendra Singh Chauhan

and

The Hon'ble Dr. Justice Shameem Akther

Writ Petition No.11393 of 2019

Date: 13-06-2019

Between:

Smt. B. Sandhya

...Petitioner

and

The State of Telangana
Rep. by its Principal Secretary
Home Dept., Secretariat Buildings
Hyderabad and 6 others.

...Respondents

Counsel for the petitioner: Mr. Vedula Srinivas

Counsel for the respondents: Mr. S. Sharath, Spl. G.P.

The Court made the following:

Order: (per Hon'ble Sri Justice Raghvendra Singh Chauhan)

This Habeas Corpus Petition has been filed by the petitioner, Smt. B. Sandhya, on the ground that her husband- T. Satish Kumar Reddy (for short 'the *detenu*') has been picked up by the Police on 01-06-2019 at 7.45 p.m., in Mallapur, Hyderabad, despite the fact that no FIR was registered against him.

Ms. V. Chitralkha, the counsel representing Mr. Vedula Srinivas, the learned counsel for the petitioner, pleads that ever since then, the petitioner's husband is being illegally detained by the Police at Dharmaram Police Station, Medipalli District. Therefore, this Court should direct that the *detenu* be released forthwith by the police.

The learned Special Government Pleader for the State, on the other hand, submits that in fact, on 28-05-2019, one Laxmi Narayana Saganti lodged an FIR against four persons including the *detenu* for the offences under Sections 406, 420, 506 r/w 34 IPC. Subsequently, the *detenu* was arrested by the police, and duly produced before the Judicial Magistrate. By order dated 11-06-2019, the *detenu* has been sent to the judicial custody. Therefore, according to the learned Special Government Pleader, his

custody is not an illegal one as he is an under-trial in a criminal case.

Heard the learned counsel for the parties, and perused the record submitted by both the parties.

Since the *detenu* is involved in a criminal case, since he has been sent to the judicial custody by the learned Judicial Magistrate, obviously, his custody is not an illegal one. Therefore, this Court does not find any merit in the present Habeas Corpus Petition. It is, hereby, dismissed.

As a sequel, Miscellaneous Petitions, pending if any, stand disposed of as infructuous.

(Raghvendra Singh Chauhan, ACJ)

(Dr. Shameem Akther, J)

Dt: 13th June, 2019
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