

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

W.P.No.11835 of 2019

Date: 14.06.2019

Between:

Mohd. Anwar

...Petitioner

and

Commissioner of Police, Hyderabad,
Basheerbagh, Hyderabad, and another.

...Respondents

Counsel for the petitioner: Mr. Asadullah Shareef

**Counsel for the respondent Nos.1 & 2: Santosh Kumar,
GP for Home**

The Court made the following:

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

Mr.Mohd. Anwar, the petitioner, has filed the present Habeas Corpus Petition ostensibly on the ground that his cousin brother, namely, Manzoor Khan, is being illegally detained by the police.

Mr. Asadullah Shareef, the learned counsel for the petitioner, submits that on 11.06.2019, the Advocate for Manzoor Khan was informed that Manzoor Khan was involved in an accident case. However, despite the fact that Manzoor Khan has surrendered himself before the police, the police is not releasing him from its custody. Therefore, the detention of Manzoor Khan is an illegal one.

On the other hand, the learned Government Pleader for Home submits that the police has arrested Manzoor Khan on 13.06.2019. They have already filed the relevant papers before the learned Magistrate and are in the process of producing the *detenu* before the learned Magistrate. Despite the fact that the offence is bailable one, as Manzoor Khan is not giving proper information to the police, the police has no other option but to produce him before the learned Magistrate. Therefore, according to the learned counsel, the custody of Manzoor Khan with the police is not an illegal one.

Heard the learned counsel for the parties.

Even if Manzoor Khan has been arrested by the police for a bailable offence even then, he is required to cooperate with the police. Since he is not cooperating with the police, the

police is justified in detaining and producing him before the learned Magistrate. Hence, the custody of Manzoor Khan presently with the police cannot be said to be any illegal one.

For the reasons stated above, this Court does not find any merit in the present Habeas Corpus Petition. It is hereby dismissed. There shall be no order as to costs.

As a sequel, miscellaneous petitions, pending if any, stand dismissed as infructuous.

(RAGHVENDRA SINGH CHAUHAN, ACJ)

Date: 14.06.2019

(Dr. SHAMEEM AKTHER, J)

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