

HIGH COURT FOR THE STATE OF TELANGANA

THE HON'BLE THE CHIEF JUSTICE SRI RAGHVENDRA SINGH CHAUHAN
AND
THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

Writ Petition No.12582 of 2019

Date: 26.06.2019

Between:

Laxmipriya Jena

...Petitioner

And

The State of Telangana,
Represented by Principal Secretary,
General Administration (Home) Department,
Secretariat, Hyderabad,
and others.

...Respondents

Counsel for the petitioner : Mr. M. Srinivas
representing Mr. N. Avaneesh

Counsel for the respondents: Mr. S. Santhosh Kumar
Special Government Pleader

The Court made the following:

ORDER: (Per the Hon'ble the Chief Justice Sri Raghvendra Singh Chauhan)

Mrs. Laxmipriya Jena, the petitioner, has filed the present habeas corpus petition ostensibly on the ground that her husband, Himanshu Shekar Jena, is being illegally detained by the respondent Nos.5 and 6.

However, the learned counsel for the State submits that on 11.12.2018, one Mr. M. R. Raju had lodged an F.I.R, namely, F.I.R. No.641 of 2018, before the Police Station RGI Airport, wherein he had claimed that on 15.11.2018 he had kept Rs.5.00 lakhs in a particular villa. However, the next morning the said amount was found missing. Himanshu Shekar and others, who were working as watchmen/security personnel, were also found missing from the place of their employment. Therefore, the complainant suspected that the Rs.5.00 lakhs had been taken by Himanshu Shekar and his co-employees. It is in connection with this F.I.R that Himanshu Shekar had been arrested by the police; he has been duly produced before the learned Magistrate. The learned Magistrate has sent Himanshu Shekar into judicial custody. Therefore, according to the learned counsel, Himanshu Shekar's custody, as of today, is a legal one.

Since the detenu is being detained in the judicial custody, obviously, his custody is not an illegal one. Therefore, this Court does not find any merit in the present Writ Petition; it is, hereby, dismissed.

The miscellaneous petitions pending in this Writ Petition,
if any, shall stand closed. There shall be no order as to costs.

RAGHVENDRA SINGH CHAUHAN, CJ

Dr. SHAMEEM AKTHER, J

26.06.2019
vs

