

HIGH COURT FOR THE STATE OF TELANGANA

**THE HON'BLE THE CHIEF JUSTICE RAGHVENDRA SINGH CHAUHAN
AND**

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

W.P.No.14162 of 2019

Date: 15.07.2019

Between:

Mudu Prasad

...Petitioner

and

The State of Telangana,
Rep. by its Principal Secretary to Government,
General Administration (SPL (Law & Order) Department,
Secretariat Buildings,
Hyderabad and others.

...Respondents

Counsel for the petitioner: Ms. K. Shreewani

**Counsel for the respondent Nos.1 to 5: Mr. Santosh Kumar
Special G.P.**

The Court made the following:

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

Mr. Mudu Prasad, the petitioner, has filed the present Habeas Corpus Petition *inter alia* on the ground that his wife, namely, N.Uma Rani @ Uma, is being illegally detained at the Prajwala Rescue Home, despite the fact that she is now a major person.

According to the petitioner, he and N. Uma Rani were married on 21.10.2017. However, the mother of N. Uma Rani lodged an FIR against the petitioner claiming that he had kidnapped N. Uma Rani, despite the fact that the marriage was a love marriage between the two. Consequently, N. Uma Rani was rescued by the police. Since she was a minor at the time of her marriage with the petitioner, she was housed with the Prajwala Rescue Home. According to the petitioner, Uma Rani's date of birth is 24.04.2000. As of today, she happens to be more than 19 years old. But despite the fact that she has become a major, she continues to be illegally confined within the premises of Prajwala Rescue Home. Hence, the present petition before this Court.

By order dated 12.07.2019, this Court had directed the State to produce N. Uma Rani before this Court.

Consequently, today, the police has produced N. Uma Rani before this Court.

This Court has spoken to N. Uma Rani. She informs this Court that on the date of her marriage, she was minor. However, as of today, she happens to be more than 19 years

old. She further informs this Court that during her stay at Prajwala Rescue Home, she completed part of her education. Most importantly, she informs this Court that she wants to rejoin the company of her husband, the petitioner before this Court.

Considering the statement made by N. Uma Rani, this Court directs the police to restore the custody of N. Uma Rani to the petitioner, Mudu Prasad, resident of V.Venkatayapalem, Raghunathapalem Mandal, Khammam District, forthwith.

The writ petition is hereby allowed. There shall be no order as to costs.

As a sequel, miscellaneous petitions, pending if any, shall stand closed.

(RAGHVENDRA SINGH CHAUHAN, CJ)

(Dr. SHAMEEM AKTHER, J)

Date: 15.07.2019

Note: Issue CC today

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