

HIGH COURT FOR THE STATE OF TELANGANA

THE HON'BLE CHIEF JUSTICE SRI RAGHVENDRA SINGH CHAUHAN

AND

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

Writ Petition No.14823 of 2019

Date: 18.07.2019

Between:

Smt. Rentala Mounika.

...Petitioner

And

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

...Respondents

Counsel for the Petitioner : Sri Srinivas Reddy Balakisti

Counsel for the Respondents : Sri Manoj Kumar,
Assistant Government Pleader for
The Advocate General

The Court made the following:

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

Claiming that her husband, Rentala Raghava Prasad, is being illegally detained by the Station House Officer, P.S. Dharur, respondent No.3, the petitioner has filed the present habeas corpus writ petition.

However, the learned Assistant Government Pleader for Home, submits that on 10.03.2019, an F.I.R No.30/2019 was lodged by one Gnaneshwar Darji with the Dharur Police Station, for the offences under Sections 406, 417, 420, 506 read with 34 IPC and Sections 4 & 5 of the Prize Chits and Money Circulation Schemes (Banning) Act, 1978. In the said FIR, the petitioner's husband, Rentala Raghava Prasad, was mentioned as Accused No.1. Subsequently he has been arrested by the police in the said case, produced before the concerned Magistrate, namely, Judicial Magistrate of First Class, Vikarabad, and sent to judicial custody. Therefore, according to the learned Assistant Government Pleader, the custody of the petitioner's husband is not an illegal one.

On the other hand, learned counsel for the petitioner, has vehemently contended that, in fact, the petitioner's husband was picked up by the police on 15.07.2019. Therefore, his custody with the police is an illegal one.

Needless to say, this Court is concerned about, whether the custody of the petitioner's husband, Rentala Raghava Prasad, is illegal or not, as on today.

Since the petitioner's husband is in judicial custody, presently, the said custody happens to be legal one. Thus, this Court does not find any merit in the present writ petition; the same is, hereby, dismissed.

Pending Miscellaneous Petitions, if any, shall stand closed.
No order as to costs.

RAGHVENDRA SINGH CHAUHAN, HCJ

Dr. SHAMEEM AKTHER, J

Date: 18.07.2019
scs/grk

