

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

WP.No.15785 of 2019

30.07.2019

Between

Garadi Venkata Laxmi, W/o. Garadi Ramulu,
Aged about 64 years, Occc: Housewife,
R/o. Raghavendra Colony, Shiva Priya School,
Meerpet, Saroornagar, Jillelaguda,
Ranga Reddy District, T.S. – 500 079.

...PETITIONER

AND

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

...RESPONDENTS

Counsel for the Petitioner: Mr. V. Naveen Kumar

Counsel for the Respondents: Sripathi Santosh Kumar
GP Attached to Advocate General

The Court made the following:

THE HON'BLE THE CHIEF JUSTICE SRI RAGHVENDRA SINGH CHAUHAN

AND

THE HON'BLE DR. JUSTICE SHAMEEM AKTHER

WRIT PETITION No.15785 of 2019

ORDER: { Per the Hon'ble the Chief Justice Sri Justice Raghvendra Singh Chauhan}

Smt. Garadi Venkata Laxmi, the petitioner, has filed this Habeas Corpus writ petition on the ground that her grandson Mr. Kavadi Naresh, S/o. Kavadi Durga Prasad, was taken by the police, allegedly, on 14.07.2019. According to her, his whereabouts were unknown. Therefore, she apprehends that her grandson is being illegally detained by the Police Station, Kondamallepally. Thus, the petition before this Court.

2. By order dated 29.07.2019, this Court had directed respondent No.4 to produce the detenu. Consequently, today Mr. Naresh has been produced before this Court.

3. Learned counsel for the State submits that, in fact, the detenu was taken by the police on 24.07.2019 in connection with FIR.No.107 of 2019 registered with the Police Station, Kondamallepally, for offence under Section 379 of the Indian Penal Code. Subsequently, he was produced before the concerned Magistrate and he has been remanded to Children's Home, as the detenu happens to be a minor, aged 16 years old. Therefore, according to the learned counsel, the custody of the detenu is not an illegal one, but is a legal one.

4. This Court has spoken to Mr. Naresh. He denies the fact that he was taken by the police on 14.07.2019. According to him, he was arrested by the police on 24.07.2019, and was produced before the

concerned Magistrate. Although the learned counsel for the petitioner claims that Mr. Naresh was subjected to third degree method by the police, Mr. Naresh denies the said fact. He further informs this Court that he has been produced by the police from the Children's Home.

5. Considering the statements made by Mr. Naresh, obviously, his custody in the Children's Home is a legal one. Therefore, this Court does not find any merits in this Habeas Corpus writ petition. It is hereby dismissed. The police is directed to deposit Mr. Naresh with the Children's Home.

Pending miscellaneous petitions shall also stand dismissed. There shall be no order as to costs.

RAGHVENDRA SINGH CHAUHAN, CJ

DR. SHAMEEM AKTHER, J

July 30, 2019
DSK

