

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.16431 of 2019

05.08.2019

Between

Nakkala Kamalamma, W/o. Nakkala Gopal,
Aged about 54 years, Occc: Housewife,
R/o. H.No. 18-182/15, Saidulugudi,
Shanthanagar, Miryalaguda,
Ranga Reddy District.

...PETITIONER

AND

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

...RESPONDENTS

Counsel for the Petitioner: Mr. Rapolu Bhaskar

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.16431 of 2019

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

Smt. Nakkala Kamamma, the petitioner, has filed this Habeas Corpus writ petition on the ground that her husband, Mr. Nakkala Gopal, has been picked up by the police. However, his whereabouts are unknown.

2. Mr. Sripathi Santosh Kumar, learned counsel for the State, submits that on 02.11.2018 one Mr. Chinthalacheruru Venkateshwarlu had lodged an FIR with the Miryalaguda II Town Police Station against the petitioner's husband, Mr. Nakkala Gopal, for offence under Section 420 of the Indian Penal Code. Subsequently, the petitioner's husband was arrested on 01.08.2019. He was produced before the concerned Judicial Magistrate. The concerned Judicial Magistrate has sent him to judicial custody. Therefore, according to the learned counsel, the custody of petitioner's husband, presently, is a legal one. In order to support this plea, the learned counsel has submitted certain documents, which shall be taken on record.

3. A bare perusal of the documents clearly reveals that the statements made by the learned counsel are borne out by the documents.

4. Since the petitioner's husband happens to be in judicial custody, the custody is a legal one.

5. For the reasons stated above, this Court does not find any merit in this Habeas Corpus writ petition. It is hereby dismissed.

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

RAGHVENDRA SINGH CHAUHAN, CJ

DR. SHAMEEM AKTHER, J

August 5, 2019
DSK

