

HIGH COURT FOR THE STATE OF TELANGANA

THE HON'BLE THE CHIEF JUSTICE SRI RAGHVENDRA SINGH CHAUHAN

AND

THE HON'BLE SRI JUSTICE A. ABHISHEK REDDY

W.P.No.25720 of 2019

29.11.2019

Between:

Gudikandula Ranjeeth Kumar

... Petitioner

and

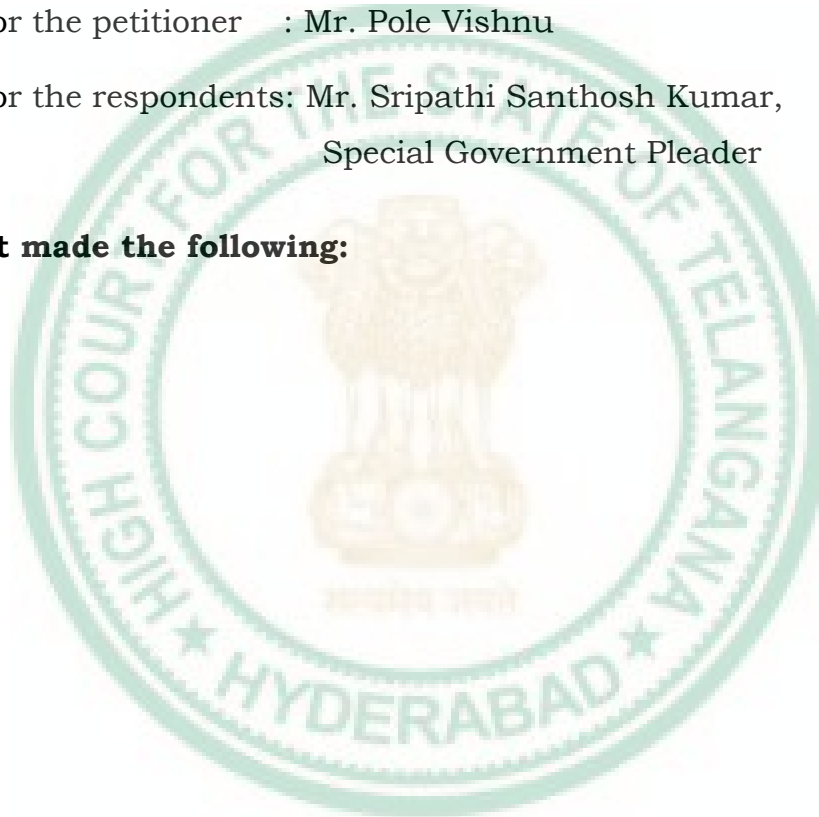
The State of Telangana and others

...Respondents

Counsel for the petitioner : Mr. Pole Vishnu

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

The Court made the following:



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

The petitioner has filed the present Habeas Corpus Writ Petition, ostensibly, on the ground that his wife, Smt. Vaishnavi, is being illegally detained by her mother, Bakka Shanthabai, the respondent No.5.

Mr. Sripathi Santhosh Kumar, the learned Special Government Pleader, has filed a counter-affidavit on behalf of the Station House Officer, Chikkadpally Police Station, the respondent No.4.

According to the investigation done by the police, Smt. Vaishnavi has left for Australia on 26.11.2017, and returned to India on 23.02.2018. On 26.03.2018, she has gone back to Australia, where she still continues to reside. According to the letter dated 25.11.2019, sent by Mrs. Marial Lewis, Partner and Senior Solicitor, the *detenue* has, in fact, already applied for protection visa. Therefore, the *detenue* continues to reside out of her own free will in Australia. Furthermore, according to the police, the *detenue* has already filed a divorce petition against the present petitioner, namely SR FCOP.No.8635 of 2017, before the Family Court, City Civil Court, Hyderabad.

Since the *detenue* is freely residing in Australia, obviously, it is not a case of illegal detention of the *detenue* by the respondent No.5.

Hence, this Court does not find any merit in this Habeas Corpus Writ Petition; it is, hereby, dismissed. The counter-affidavit filed by the respondent No.4 shall be returned to the learned Special Government Pleader. There shall be no order as to costs.

The miscellaneous petitions pending, if any, shall stand closed.

RAGHVENDRA SINGH CHAUHAN, CJ

A. ABHISHEK REDDY, J

High Court for the State of Telangana**THE HON'BLE THE CHIEF JUSTICE SRI RAGHVENDRA SINGH CHAUHAN****AND****THE HON'BLE SRI JUSTICE A. ABHISHEK REDDY****W.P.No.25720 of 2019****(Per the Hon'ble the Chief Justice Sri Raghvendra Singh Chauhan)****Date: 29.11.2019****JSU**