

THE HON'BLE THE CHIEF JUSTICE RAGHVENDRA SINGH CHAUHAN
AND
THE HON'BLE SRI JUSTICE DR. SHAMEEM AKTHER

Writ Petition No.43362 of 2018

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

The petitioner, Mr. Kunche Srinivas, has filed this habeas corpus writ petition ostensibly on the ground that respondent No.5, Mr. M. Venkateswara Rao, and respondent No. 6, Mrs. M. Swaroopa Rani have illegally detained his wife, Kunche Mrudula, respondent No. 4, and his small child, Rakshit.

In compliance of the order dated 04.07.2019, the Station House Officer, Police Station, Jagathgirigutta has produced both the detenues before this Court.

This Court has spoken to Kunche Mrudula, the respondent No. 4. She informs this Court that she is married to petitioner. However, due to matrimonial disputes, which have erupted between the parties, and due to the rude behaviour of the petitioner, she has left the matrimonial house on her own volition. For the last almost one year i.e. from August, 2018, till present, she has been residing with her parents, the respondent Nos. 5 and 6. She further informs this Court that she has no desire to resume cohabitation with her husband due to his cruel behaviour. Therefore, she would prefer to reside with her parents. She further informs this Court that she is a working woman, aged twenty-five years old, and her son Rakshit is three years old.

Considering the fact that Kunche Mrudula, respondent No. 4, the detinue, happens to be major person, who is residing with her own parents on her own free will, her residing with her

parents cannot be said to be any illegal custody. She shall be free to reside with her parents as per her own free will.

Therefore, this Court does not find any merit in the present habeas corpus petition. It is, hereby, dismissed.

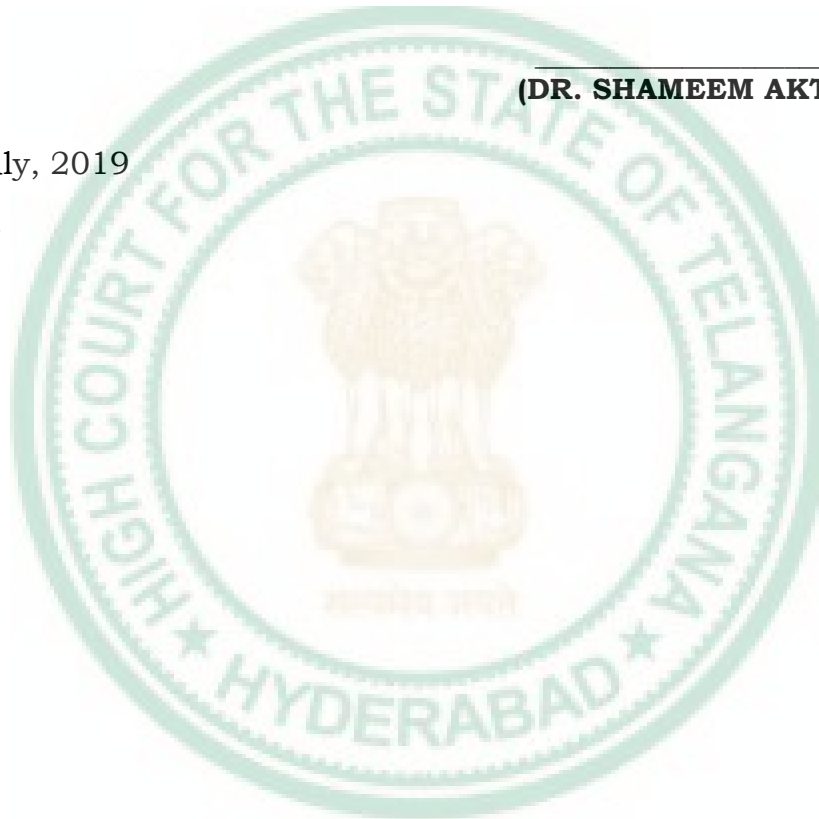
Miscellaneous petitions pending, if any, shall stand closed.
No order as to costs.

(RAGHVENDRA SINGH CHAUHAN, CJ)

(DR. SHAMEEM AKTHER, J)

08th July, 2019

Pln/Tsr



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