

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. 317 of 2020

Date: 09-01-2020

Between:

Smt. A. Harshitha

...Petitioner

and

The State of Telangana
Rep. by its Principal Secretary
to the Home Department
Secretariat, Hyderabad and 2 others

...Respondents

Counsel for the petitioner: Mr. V. Raghunath

Counsel for the respondents: Mr. Sripathi Santosh Kumar,
GP attached to the office of the AG

The Court made the following:

Order: (per Hon'ble The Chief Justice Sri Raghvendra Singh Chauhan)

The petitioner, Smt. A. Harshitha, the wife of the *detenu*, namely Mr. Dhara Prasad, has filed the present Habeas Corpus petition ostensibly on the ground that her husband was picked up by the police on 03-01-2020. Ever since then, his whereabouts are unknown. Therefore, according to the petitioner, her husband is being illegally detained by the Station House Officer, Nacharam Police Station, Ranga Reddy District, the respondent No. 2.

However, on the other hand, the learned counsel for the State submits that on 02-01-2020, one Mr. M.V. Dinakar had filed a report before the Police Station, Nacharam, for the offences under Section 420, 409, 477(a), 468, 471, and 120(B) IPC, against the *detenu*. During the course of investigation, the *detenu* was arrested, and produced before the concerned Magistrate. On the basis of the order passed by the learned Magistrate, the *detenu* has been sent into judicial custody. Therefore, according to the learned counsel, the custody of the *detenu* is no longer an illegal one.

The position being taken by the learned counsel for the State has not been challenged by the learned counsel for the petitioner.

Since the custody of the *detenu* is a legal one, this Court does not find any merit in the present Habeas Corpus petition. Hence, it is dismissed.

As a sequel, miscellaneous petitions, pending if any, stand dismissed as infructuous.

(Raghvendra Singh Chauhan, CJ)

(A. Abhishek Reddy, J)

Dt: 9th January, 2020
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