

**HIGH COURT FOR THE STATE OF TELANGANA: AT HYDERABAD
(Special Original Jurisdiction)**

**MONDAY, THE ELEVENTH DAY OF APRIL
TWO THOUSAND AND TWENTY TWO**

PRESENT

**THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER
AND
THE HON'BLE SMT JUSTICE JUVVADI SRIDEVI**

WRIT PETITION NO: 16853 OF 2022

Between:

Putta Balakrishna, S/o Late Narayana, Aged about 46 years, Occ. Business.
R/o H.No.19-27/3b, Mahashakti Nagar, Siddipet, Siddipet District.

...PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary, Home Department, Secretariat Buildings, Secretariat, Hyderabad.
2. The Commissioner of Police, Siddipet Commissionerate, Siddipet.
3. The Deputy Commissioner of Police, Siddipet, Siddipet District.
4. The Station House Officer, Siddipet-III Town Police Station, Siddipet, Siddipet District.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a Writ, order or orders more particularly in the nature of Writ of Habeas Corpus declaring inaction on the part of the respondents No.1 to 4 in acting on the complaint, dated 19/02/2022 made by the petitioner for search of petitioners daughter whose whereabouts are not known till date and further inaction of the respondents No.2 to 4 even on the oral information that the petitioners daughter is being illegally detained by the respondent No.5 as arbitrary, illegal, abdication of the statutory duty cast on them and consequently direct the respondents to produce the petitioners daughter namely Putta Veena, Aged about 24 years, before this Hon'ble Court.

Counsel for the Petitioner: SRI SANJEEV GILLELA

Counsel for the Respondents: AGP FOR HOME

The Court made the following: ORDER

**THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER
AND
THE HON'BLE SMT. JUSTICE JUVVADI SRIDEVI
WRIT PETITION No.16853 OF 2022**

ORDER: (Per Hon'ble Dr. Justice Shameem Akther)

This Writ Petition, under Article 226 of the Constitution of India, is filed by the petitioner seeking the following relief:

"...to Issue a Writ, order or orders more particularly in the nature of Writ of Habeas Corpus declaring inaction on the part of the respondents No.1 to 4 in acting on the complaint dated 19-02-2022 made by the petitioner for search of petitioner's daughter whose whereabouts are not known till date and further inaction of the respondents No.2 to 4 even on the oral information that the petitioner's daughter is being illegally detained by the respondent No.5 as arbitrary, illegal, abdication of the statutory duty cast on them and consequently direct the respondents to produce the petitioner's daughter namely Putta Veena, aged about 24 years, before this Hon'ble Court and pass such other order or orders.."

2. Heard Sri Sanjeev Gillela, learned counsel for the petitioner, learned Assistant Government Pleader for Home, appearing for respondent Nos.1 to 4 and perused the record.

3. This Writ Petition is filed ostensibly on the ground that the respondent No.5-Md. Mudasir Ahmad, had detained the daughter of the petitioner by name Putta Veena. This Court vide order dated 01.04.2022, directed the respondent No.4 to produce the alleged detainee-Putta Veena, before this Court. Pursuant to the said

order, Putta Veena, has been produced before this Court. This Court is pleased to interact with her. She revealed her name as Putta Veena and her father's name as Putta Bala Krishna and she is 24 years old. She completed M.Tech and presently, residing in Toli Chowki, Hyderabad. She further stated that she married respondent No.5 on 04.03.2021 and she has not been forcibly detained by the respondent No.5 or any other person. She is willing to stay with respondent No.5 and apprehends danger to her life from the petitioner herein and others.

4. Here, it is apt to state that Habeas Corpus is a writ calling upon the person who has illegally/wrongfully detained another, to produce the latter before the Court, in order to let the Court know on what ground he/she has been detained, and to set him/her free if there is no legal justification for the detention. A writ of Habeas Corpus cannot be issued, when a person is not in illegal/unlawful detention.

5. In the instant case, as seen from the interaction made by this Court with the alleged detainee-Putta Veena, she is 24 years old and she is major. She completed M.Tech and married respondent No.5 on 04.03.2021 and living with him in Toli Chowki, Hyderabad, on her own. The statement given before this Court by

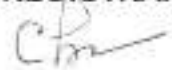
the alleged detainee-Putta Veena establishes that she is not forcibly detained by the respondent No.5 or any other person. In view of the aforesaid statement given by the alleged detainee-Putta Veena, it cannot be said that there is illegal or unlawful detention, as alleged by the petitioner. Therefore, the relief sought by the petitioner in the writ petition i.e, to entrust the custody of Putta Veena, does not merit consideration.

6. Since Putta Veena stated that she is living in Toli Chowki, Hyderabad, with respondent No.5 and apprehends danger to her life, she is entitled to approach the Station House Officer concerned and seek required police protection.

7. With the above observations, this Writ Petition is dismissed.

Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed. There shall be no order as to costs.

**SD/-K.ONESIM
DEPUTY REGISTRAR**



//TRUE COPY//

SECTION OFFICER

To,

1. Two CCs to the GP for Home, High Court for the State of Telangana [OUT]
2. One CC to SRI SANJEEV GILLELA, Advocate [OPUC]
3. Two C.D. Copies
4. One Spare Copy.

MRC
GJP



HIGH COURT
DATED:11/04/2022



ORDER

WP.No.16853 of 2022

DISMISSING THE WRIT PETITION
WITHOUT COSTS

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HMA
08/8/22