

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

**MONDAY, THE TWENTY THIRD DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY FOUR**

PRESENT

**THE HON'BLE SRI JUSTICE P.SAM KOSHY
AND
THE HON'BLE SRI JUSTICE N.TUKARAMJI**

WRIT PETITION NO: 25751 OF 2024

Between:

Sri. Rathod Pratap Ram, S/o. Deva Ram, aged about 50 Years, Occ. Business,
Vidyanagar, Kalwakurthy village, Nagar Kurnool District.

...PETITIONER

AND

1. The State of Telangana, rep by Principal Secretary, Home Department,
Secretariat buildings, Hyderabad.
2. The Director General of Police, Hyderabad.
3. The Superintendent of Police, Nagarkurnool district, Nagarkurnool.
4. The Station House Officer, Kalvakurthy Police Station.
5. Earapakula Karunakar, S/o E.Venkata Ramulu Aged about 20 years, Occ. pvt
Employee, H.No.1-84, Turkalapalli, Kalwakurthy Nagarkurnool dist

...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 Writ, or Writs, Order or Orders more particularly one in the nature
of Writ of Habeas Corpus by directing the Respondent No.3 and 4 to forthwith
produce the daughter of the Petitioner Kum Rathod Santhoshi D/o. Rathod Pratap,
aged about 16 years minor from the custody of 5th Respondent before this
Hon'ble Court.

IA NO: 1 OF 2024

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the 4th Respondent to produce entire investigation report along with CDR enquiry in crime No.252/2024 dated 11.09.2024 of Kalwakurthy PS, Commissionarate of Nagarkurnool District.

Counsel for the Petitioner: SRI V.S.R.M.V. PRASAD SANAKA

**Counsel for the Respondents No.1 to 4: SRI SWAROOP OORILLA,
SPECIAL GOVERNMENT PLEADER FOR THE ADVOCATE GENERAL**

Counsel for the Respondent No.5: --

The Court made the following: ORDER

**THE HON'BLE SRI JUSTICE P.SAM KOSHY
AND**

THE HON'BLE SRI JUSTICE N.TUKARAMJI

WRIT PETITION NO.25751 OF 2024

ORDER: *(per Hon'ble Sri Justice P.SAM KOSHY)*

The present is the Writ Petition filed under Article 226 of the Constitution of India seeking for issuance of Writ of Habeas Corpus preferred by the petitioner calling for the production of the alleged detainee *viz.*, Ms.Rathod Santhoshi, aged about 16 years, Daughter of Sri Rathod Pratap/petitioner, before the Court, who is said to have been allegedly eloped by respondent No.5.

2. On the previous date of hearing, Mr.Swaroop Oorilla, learned Special Government Pleader attached to the office of the learned Advocate General, intimated that they have track down the detainee at Jammu and efforts are being made to bring the detainee and respondent No.5 back. Accordingly, the matter was ordered to be taken up today.

3. Today the matter was taken in chamber and the Bench had an interaction with the alleged detainee who was presented by the State Authorities. According to the detainee, coming to know about the First Information Report (FIR) having opened

against respondent No.5, they have decided to come back to Hyderabad and accordingly, they came to Hyderabad by Train and reached Hyderabad on 19.09.2024. Immediately, the State Authorities took the detenue to Sakhi Centre and today she was brought from the Sakhi Centre to the Court.

4. In the course of interaction, the detenue has also submits that she and respondent No.5, who used to occasionally do painting work on the idols prepared by the parents and family members of detenue, had developed a relationship and that they have voluntarily eloped from the house together and they have voluntarily returned back also. Today she makes a categorical submission that she now intends to go along with her parents and other family members, who were also present in the Court. She further submits that there is also no coercion and pressure on her from her family members and all her submissions are voluntarily made.

5. Given the fact that the detenue has been produced before the Court and she has made a categorical submission of her willingness to go along with her parents and also considering her submissions that she had voluntarily gone along with respondent No.5 because of the relationship that had developed between the two and now she intends to go with her parents, we

are of the considered opinion that nothing further remains to be decided in the present Writ Petition. The detenue is at liberty to go along with her parents from the Court itself.

6. With the aforesaid observations, this Writ Petition stands disposed of.

Consequently, miscellaneous petitions pending, if any, shall stand closed. There shall be no order as to costs.

SD/-V.KAVITHA
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Home Department, State of Telangana, Secretariat buildings, Hyderabad.
2. The Director General of Police, Hyderabad.
3. The Superintendent of Police, Nagarkurnool District, Nagarkurnool.
4. The Station House Officer, Kalvakurthy Police Station, Nagarkurnool District.
5. One CC to SRI V.S.R.M.V. PRASAD SANAKA, Advocate [OPUC]
6. Two CCs to the Advocate General, High Court for the State of Telangana at Hyderabad [OUT]
7. Two CD Copies

MP
GJP

CHR

HIGH COURT

DATED:23/09/2024



WP.No.25751 of 2024

DISPOSING OF THE WRIT PETITION
WITHOUT COSTS

(10) CHR
4/12/24