

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(Special Original Jurisdiction)

MONDAY, THE TWELFTH DAY OF AUGUST
TWO THOUSAND AND TWENTY FOUR



PRESENT

THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI
AND
THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION NO: 17628 OF 2024

Between:

1. Damalapati Anupama Alias Koneru Anupama, W/o. Koneru Venkata Madhu Babu, Aged 35 years, Occ-Housewife, R/o. 71-1-17, Koneruvari Street, Patamata, Vijayawada Urban, Venkateswarapuram, Krishna District.

...Petitioner

AND

1. The State Of AP, Rep. by its Principal Secretary, Home Department, Secretariat, Velagapudi, Guntur, Guntur District. Andhra Pradesh.
2. The Commissioner of Police, Vijayawada, Krishna (NTR) District, Andhra Pradesh.
3. The Station House Officer, Patamata Police Station, Vijayawada, Krishna District.

...Respondents

Petition under Article 226 of the Constitution of India is filed praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue of writ order or direction more particularly in the nature of WRIT OF HABEAS CORPUS directing the Respondents to produce my husband Sri Venkata Madhu Babu Koneru, S/o.Surendra, Aged 37 years, R/o. 71-1-17, Koneruvari Street, Patamata, Vijayawada Urban, Venkateswarapuram, Krishna District who is illegally detained by Respondent No.3 before this Honble Court and he shall be released forthwith after declaring his forceful detention by the Respondents as illegal, unconstitutional, arbitrary and in violation of the fundamental rights guaranteed under the Constitution of India.

IA NO: 1 OF 2024

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to direct the respondent No. 3 to produce the petitioner's husband Sri Venkata Madhu Babu Koneru, who is illegally abducted and detained by Respondent No.3 before this Honble Court, pending disposal of the writ petition.

Counsel for the Petitioner: SRI. NAGESHWAR RAO PUJARI

Counsel for the Respondent Nos. 1 to 3: THE ADVOCATE GENERAL

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI
THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION No.17628 OF 2024

ORDER: *(per Hon'ble Sri Justice Ravi Nath Tilhari)*

This writ petition under Article 226 of the Constitution of India is filed for a writ of Habeas Corpus, to produce the husband of the petitioner namely Sri Venkata Madhu Babu Koneru, S/o Surendra, from the alleged illegal detention of the respondents.

2. Sri Edukondalu Digumathi, learned Assistant Government Pleader to the Advocate General representing the respondents, submits, based on the written instructions, that the petitioner's husband is A4 in Crime No.615 of 2024 under Sections 318(4), 61(2) r/w 3(5) BNS of Patamata P.S. Vijayawada City.

3. The 3rd respondent-Station House Officer, on 07.08.2024, investigated into the said crime and examined the connected witness. The 3rd respondent also issued notice under Section 35(3) BNSS-2023 on 08.08.2024, directing the husband of the petitioner, to appear before the Investigating Officer. Pursuant to

which, he attended the police station on the same day and after questioning the accused, he was instructed to attend the investigation whenever summoned and he was enlarged on that day and he returned to his home.

4. Learned counsel for the petitioner submits that the petitioner's husband has been released.

5. Considering the submissions advanced, we find that the petitioner's husband was not in any illegal detention and he is also now no more in any alleged detention.

6. The Writ Petition is therefore dismissed. As a sequel thereto, miscellaneous petitions, if any pending, shall also stand closed.

7. Let the copy of the written instructions placed before the court be kept on record.

Sd/- M.PRABHAKAR RAO
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. One CC to SRI. NAGESHWAR RAO PUJARI Advocate [OPUC]
 2. One CC to SRI. THE ADVOCATE GENERAL Advocate [OPUC]
 3. Three CD Copies
- csb

HIGH COURT

csb

DATED:12/08/2024

ORDER

WP.No.17628 of 2024



DISMISSING THE WP WITHOUT COSTS