

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

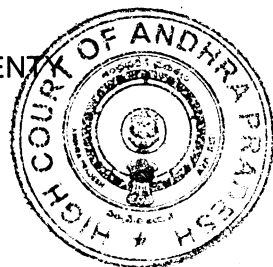
[Special Original Jurisdiction]

FRIDAY, THE SIXTH DAY OF NOVEMBER, TWO THOUSAND AND TWENTY

:PRESENT:

**THE HONOURABLE SRI JUSTICE RAKESH KUMAR
AND
THE HONOURABLE MS JUSTICE J. UMA DEVI**

WRIT PETITION No. 17209 of 2019



Between:

Reddi Govinda Rao, S/o. Reddy Akku Naidu,

Petitioner

AND

1. The State of Andhra Pradesh, Represented by its Principal Secretary, Department of Home, Secretariat, Velgapudi, Amaravathi, Guntur District, Andhra Pradesh
2. The Commissioner of Police Visakhapatnam, Andhra Pradesh.
3. The Deputy Commissioner of Police, Visakhapatnam, Andhra Pradesh.
4. The Station House Officer IV Town Police Station, Visakhapatnam, Andhra Pradesh.
5. The Sub Inspector of Police, IV Town Police Station, Visakhapatnam, Andhra Pradesh.

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 or order or direction more particularly one in the nature of Writ of Habeas Corpus directing the respondents to produce Reddi Gowtham S/o. Govindrao, and Elanti Lochinni W/o. Reddi Gowtham, residents of House No.11, First Floor, Road No.1, RTC Colony, Vijayawada, Andhra Pradesh before this Hon'ble Court by declaring their detention is illegal and release forthwith.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and orders of the High Court dated 25.11.2019 & 04-03-2020, 13-03-2020 & 01.10.2020 made therein and upon hearing the arguments of SRI RAVITEJA PADIRI, Advocate for the Petitioner and of the Sri.S.S.Prasad, learned Senior Counsel appearing for the respondents-State, i.e., for Advocate General for the Respondents, the Court made the following

ORDER :-

(Proceedings taken up through video conferencing)

Hearing resumed.

Sri S.S.Prasad, learned Senior Counsel appearing for the respondents-State, has given reply to the submission made by learned counsel for the petitioner and he has supplied number of judgments also.

In reply to reply given by Sri S.S.Prasad, learned Senior Counsel, Sri Raviteja Padiri, learned counsel for the petitioner, has given reply.

While hearing, we have noticed that in between 29.10.2019 to 30.10.2019, four (4) FIRs were lodged against one of the detenus. On being asked, learned counsel for the petitioner, was not in a position to inform the Court as to on which date those FIRs were received in the concerned Magistrate Court. Sri S.S.Prasad, learned Senior Counsel for the respondents-State, immediately informed that he was also not in a position to inform.

In that view of the matter, considering the fact that hearing is going on it may not be deferred by asking the parties to file such affidavit; in stead, it is desirable to direct the Principal District Judge, Visakhapatnam to furnish information regarding receipt of copies of the FIRs in the Court of concerned Magistrate in respect of Crime No.616 of 2019 of Gajuwaka Police Station, Visakhapatnam City, registered on 29.10.2019; 2) Crime No.494 of 2019 of Kancharapalem Police Station, Visakhapatnam City, registered on 29.10.2019; 3) Crime No.250 of 2019 of Gopalapatnam Police Station, Visakhapatnam City, registered on 29.10.2019 and 4) Crime No.252 of 2019 of Gopalapatnam Police Station, Visakhapatnam City, registered on 30.10.2019.

The learned Principal District Judge, Visakhapatnam, is required to send information specifically that on which date and what time those FIRs were received in the Court of concerned Magistrate.

Such information must reach to this Court by 10.11.2020.

Registry is directed to communicate this order to the learned Principal District Judge, Visakhapatnam, forthwith.

Put up on 10.11.2020 as first case under the same heading.

Sd/- V. DIWAKAR
ASSISTANT REGISTRAR

//TRUE COPY//

for ASSISTANT REGISTRAR

To

1. The Principal District Judge, District Court Complex, Visakhapatnam. (BY SPEED POST)
2. The Registrar (Judicial), High Court of A.P., Amaravati.
3. The Principal Secretary Department of Home, State of Andhra Pradesh, Secretariat, Velgapudi, Amravathi, Guntur District, Andhra Pradesh .
4. The Commissioner of Police Visakhapatnam, Andhra Pradesh.
5. The Deputy Commissioner of Police, Visakhapatnam, Andhra Pradesh.
6. The Station House Officer IV Town Police Station, Visakhapatnam, Andhra Pradesh.
7. The Sub Inspector of Police, IV Town Police Station, Visakhapatnam, Andhra Pradesh. (2 TO 7 BY RPAD)
8. One CC to SRI RAVITEJA PADIRI, Advocate [OPUC]
9. One CC to Sri S.S. Prasad, Senior Counsel(OPUC)
10. Two CCs to The Advocate General, High Court of A.P [OPUC].
11. The Director General of Police, Mangalagiri, Andhra Pradesh
12. Two spare copies

SRL

HIGH COURT

RK.J & JUD.J

DATED: 06.11.2020

**NOTE: PUT UP ON 10.11.2020 AS FIRST CASE UNDER THE SAME
HEADING**

ORDER

W.P.No.17209 of 2019

DIRECTION

