

HON'BLE SRI JUSTICE D.S.R.VARMA

AND

HON'BLE SRI JUSTICE P.SWAROOP REDDY

—

TAKEN UP WRIT PETITION NO.15233 OF 2006

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Between:

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Makineni Laxminarayana S/o Kondaiah, Chilamkuru Village,
Marripudi Manal, Prakasam District.

Petitioner

...

AND

1.The Station House Officer, Marripudi Police Station, Marripudi, Prakasam District and others.

....Respondents

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HON'BLE SRI JUSTICE D.S.R.VARMA
AND
HON'BLE SRI JUSTICE P.SWAROOP REDDY

TAKEN UP WRIT PETITION NO.15233 OF 2006

ORAL ORDER: (per the Hon'ble Sri Justice D.S.R.VARMA)

This Writ Petition is taken up on the basis of a 'Telegram' sent by one Mr. Makineni Laxminarayana, S/o Kondaiah, Chilamkuru Village, Marripudi Mandal, Prakasam District, alleging that on 17.7.2006 the police have forcibly taken away one (1). Makineni Srinivasulu S/o Venkateswarlu, (2). Pathuri Brahmaiah S/o Peraiah, (3). Pathuri Stallinbabu S/o Kotaiah, (4). Makineni Mallikarjuna S/o Ramaiah, (5). Botla Ramachandra Rao S/o Anjaiah and (6). Makineni Srinivasa Rao S/o Narasimham residents of Chilamkur Village, Marripudi Mandal, Prakasam District, and they have been detained in police station since then and apprehending danger to their lives.

2. On notice being served, the Sub-Inspector of Police, Marripudi Police Station, Prakasam District, filed a counter-affidavit stating that out of the above six persons, against four persons, a case in Crime No.62 of 2006 for the offence punishable under Sections 143, 147, 148, and 302 r/w 149 of the Indian Penal Code was registered and they were arrested on 21.07.2006. In respect of alleged detenus by name (1). Botla Ramachandra Rao S/o Anjaiah and (2). Makineni Srinivasa Rao, S/o Narasimham of Chilamkur Village, Marripudi Mandal, Prakasam District, who are allegedly taken away forcibly by the police are not required in any case

pending with the police. Therefore, the question of apprehending danger to their lives does not arise nor they are under arrest.

3. Having regard to the said facts mentioned in the counter-affidavit, the Sub-Inspector of Police, Marripudi Police Station, Prakasam District, we do not find any merit to entertain the present Writ Petition and the same is liable to be closed.

4. Accordingly, the Writ Petition is closed.

D.S.R.VARMA, J

P. SWAROOP REDDY, J

Dated: 31.07.2006
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