

**THE HON'BLE Dr. JUSTICE K. MANMADHA RAO
AND
THE HON'BLE SRI JUSTICE TARLADA RAJASEKHAR RAO**

**I.A. No.1 of 2022
In/and
WRIT PETITION NO.14503 OF 2022**

ORDER:- *(Per the Hon'ble Dr. Justice K. Manmadha Rao,J)*

The present writ petition is filed by the petitioner seeking a direction to the official respondents to secure the presence of petitioner's wife namely Mrs. Shaik Rijvana before this Court and set her at liberty.

2. Brief facts of the case are that an inter-religious marriage was performed between the petitioner and detenu, namely, Mrs. Shaik Rijvana on 30.04.2022 as per the rites and customs of Christian religion against the will and wishes of the parents and other relatives of the detenu. Due to solemnization of their marriage, the parents and relatives of detenu bore grudge against them and started harassing with active assistance of Police authorities. It is further stated that eventually on 2.5.2022 on the pretext of causal check, the police authorities visited the house of the petitioner, manhandled his family members, including the detenu and forcibly abducted the petitioner's wife. Subsequently, the petitioner requested the official respondents to refrain from forcibly abducting her but they bluntly refused to heed to it. On reliable information, the petitioner learnt that the detenu was confined in respondent No.8 bungalow. Therefore, the efforts of the petitioner and his family members in securing the presence of the detenu ended futile. On the contrary, the action of police authorities in unlawfully detaining her in patently is unsustainable and untenable. Hence, the present writ petition.

3. When the matter was taken up for hearing on 12.05.2022, this Court was directed the respondents No.6 and 7 to produce the detenu before the concerned Judicial First Class Magistrate within two days from the date of receipt of the order and further directed the concerned JFCM to record the statement of the detenu with regard to her marriage and whereabouts and submit the report before this Court on or before 19.05.2022. In compliance of the order of this Court dated 12.05.2022, the police authorities have produced the detenu before the learned II Additional Judicial Magistrate of I Class, Tenali on 12.05.2022, and on producing the same, the learned II AJFCM recorded the statement of the detenu. Basing on the said statement, the detenu is not willing to stay with their parents and reported that there is no safety to her life and also further informed that she is major and she wants to live with Karthik/petitioner herein. On recording the said statement, the learned II AJFCM, Tenali, submitted the report dated 18.5.2022 to the Registrar (Judicial), High Court of A.P., Amaravati and the same was placed on record.

4. This Court vide order dated 19.05.2022, directed the respondent No.7 to produce the detenu on 26.05.2022 and also directed the respondent No.8 to appear before this Court on the said date. In pursuance of the above order, the respondent No.7 has produced the detenu before this Court and the respondent No.8 also appeared.

5. On hearing, the petitioner fairly stated that he is ready to take his wife, who is the detenu, namely, Mrs. Shaik Rijvana and the detenu also stated that she is also willing to go and live with him.

6. During pendency of this writ petition, I.A.No.1 of 2022 has been filed by the mother of the petitioner's wife to implead her as respondent No.9 in the present writ petition.

7. However, on considering the submissions of the petitioner and the detenu, as they are majors and they have agreed to live together, this Court is of the considered view that there is no need for any interference of the parents in this writ petition. Therefore, this Court is not inclined to implead the petitioner/respondent NO.9 on record, and accordingly, the I.A No.1 of 2022 is dismissed.

8. Having regard to the facts and circumstances of the case, the respondents are directed to set free of detenu's liberty and further the petitioner is directed to take her back to lead happy marital life.

9. With the above observation, the Writ Petition is disposed of. No orders as to costs.

As a sequel, interlocutory applications, if any pending, shall stand closed.

DR. K. MANMADHA RAO, J.

TARLADA RAJASEKHAR RAO, J.

Date : 26-05-2022
Bsp/Gvl

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