

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

AND

THE HON'BLE SRI JUSTICE G.SHYAM PRASAD

W.P.No. 298 OF 2016

DATED 21ST JUNE, 2016

Between:

Smt. Sandya Bai ... Petitioner

AND

The State of Telangana,
Rep. by its Chief Secretary to Government,
General Administration (Law & Order) Department,
Secretariat, Hyderabad, and another ... Respondents

Counsel for the petitioner : Sri P.Nageswara Rao

Counsel for the respondents : G.P. for Home (T.S.)

THE COURT MADE THE FOLLOWING

ORDER: (*per Hon'ble Sri Justice C.V.Nagarjuna Reddy*)

Detention of one Mudavath Raju Naik (hereinafter referred to as 'the

detenu'), under the provisions of Section 3 (1) and (2) read with Section 2 (a) and (b) of the Telangana Prevention of Dangerous Activities of Bootleggers, Dacoits, Drug Offenders, Goondas, Immoral Traffic Offenders and Land Grabbers Act, 1986, is questioned by his wife in the present Writ Petition.

2. A perusal of the detention order and the grounds thereof shows that the detenu was allegedly involved in sale of Illicitly Distilled Liquor (I.D. Liquor) and that in the span of eight months, he was involved in three criminal cases. It is further alleged that the detenu was found in possession of 10, 25 and 30 liters respectively and that if he is not detained, there is a reasonable possibility of his repeating commission of similar offences in future which will have the affect of disturbing the public order.

3. At the hearing, learned counsel for the petitioner, after consulting the father-in-law of the detenu who is present in the Court, submitted that the detenue is prepared to leave Guvvaladinne Vaagu Thanda, Irrikichedu, Dharoor Mandal, Mahaboob Nagar District, and stay for a period of one year at a place near Mantralayam, Kurnool District, and that he will not enter the above mentioned village for the said period.

4. Considering the fact that the quantities of I.D. Liquor, allegedly in possession of the detenu, were low or moderate and the further fact that the detenu is agreeable for leaving the present place for a period of one year coupled with the fact that he has suffered detention for more than six months, we fee it appropriate to set aside the detention order in the following terms:

- (i) The detenue shall leave Guvvaladinne Vaagu Thanda, Irrikichedu, Dharoor Mandal, Mahaboob Nagar District, and stay for a period of one year at a place near Mantralayam, Kurnool District, and he shall not enter the above mentioned village for the said period; and

- (ii) The detenue shall submit a written undertaking to the above mentioned effect addressed to respondent No. 2 and handover the same to the Superintendent, Central Prison, Cherlapally, before he is released from the jail.

6. The Writ Petition is, accordingly, allowed.

C.V.NAGARJUNA REDDY, J.

G.SHYAM PRASAD,

J.

Date: 21-06-2016.

JSK