

HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY
AND
HON'BLE SRI JUSTICE G.SHYAM PRASAD

WRIT PETITION No.4723 of 2016

Date:22.6.2016

Between:

Azmeera Sandya,
W/o Azmeera Peekla

.....Petitioner

And:

The State of Telangana, reptd by its Chief
Secretary, General Admn. (Law & Order)
Department, Hyderabad and four others.

....Respondents

Counsel for the petitioner: Mr. Vinod Kumar Deshpande
For Mr. Vikas Joshi

Counsel for the Respondents: GP for Home (TS)

The Court made the following:

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

Detention of one Azmeera Peekla (hereinafter referred to as 'the detenu'), under the provisions of Section-3 (1) 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 (Act 1 of 1986) is questioned by his wife in the present Writ Petition.

A perusal of the detention order and the grounds thereof shows that the detenu was allegedly involved in the sale of Illicitly Distilled Liquor (I.D. Liquor); that in the span of six months, he was involved in three criminal cases and was found in possession of 20, 6 and 30 liters of I.D. liquor, 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.

At the hearing, Mr. Vinod Kumar Deshpande, learned counsel representing Mr. Vikas Joshi, learned counsel for the petitioner, after consulting the wife of the detenu, who is present in the Court, submitted that the detenu is prepared to leave Gopasamudram Thanda, H/o Nandipadu, Miryalaguda Mandal, Nalgonda District and stay outside that area for a period of one year and that, he will not enter the above mentioned Village for the said period.

Considering the fact that the quantities of I.D. Liquor, allegedly found 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 ten months, we fee it appropriate to set aside the detention order on the following terms:

(1) The detenu shall leave Gopasamudram Thanda, H/o Nandipadu, Miryalaguda Mandal, Nalgonda District and live outside the said area at least for a period of one year.

2) The detenu shall submit a written undertaking to the above mentioned effect addressed to respondent No.2 and hand over the same to the Superintendent,

Central Prison, Chenchalguda, Hyderabad before he is released from the jail.

The Writ Petition is, accordingly, allowed.

As a sequel to disposal of the Writ Petition, WPMP.No.6046 of 2016 filed by the petitioner for interim relief is disposed of as infructuous.

*JUSTICE C.V.NAGARJUNA
REDDY*

JUSTICE G.SHYAM PRASAD

*22nd June 2016
DR*