

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY
&
THE HON'BLE SRI JUSTICE M.S.K.JAISWAL

WRIT PETITION No.24604 of 2016

DATED:- 20-12-2016

Between:

Ruksana Begum

..... PETITIONER

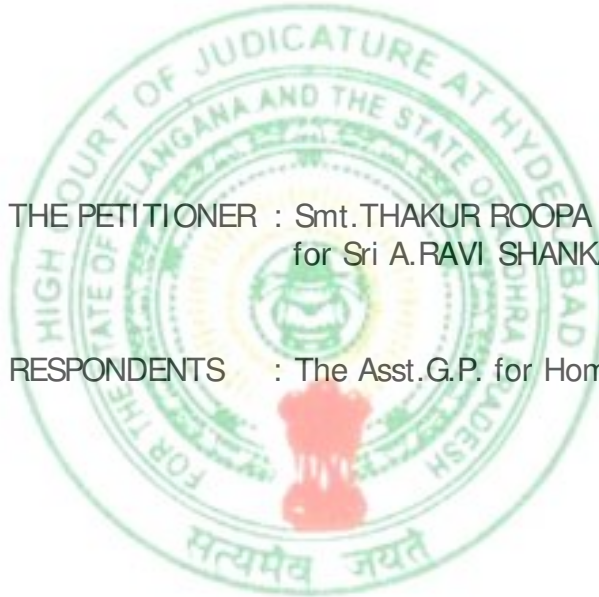
AND

The State of Telangana, rep.by its Chief
Secretary (Law & Order) Department,
Telangana Secretariat, Hyderabad and 2 others

.....RESPONDENTS

COUNSEL FOR THE PETITIONER : Smt.THAKUR ROOPA SINGH
for Sri A.RAVI SHANKAR

COUNSEL FOR RESPONDENTS : The Asst.G.P. for Home (TG)



THE COURT MADE THE FOLLOWING:

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY
&
THE HON'BLE SRI JUSTICE M.S.K.JAISWAL

WRIT PETITION No.24604 of 2016

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

The detention of one Mohd.Asif @ Md.Isthekar (for short "the detenu") under order, dated 07.02.2016, passed by respondent No.2 under the provisions of the Telangana Prevention of Dangerous Activities of Bootleggers, Dacoits, Drug Offenders, Goondas, Immoral Traffic Offenders and Land Grabbers Act, 1986 (for short "the Act") is questioned by his wife in the present writ petition.

A perusal of the detention order shows that, the detenu along with his associates was found luring the innocent members of public to board his auto by making them believe that he was running a sharing auto, and stealing valuables, such as cash and gold of the innocent gullible public. As many as 5 crimes, viz., Cr.No.150/2015 of Saifabad Police Station, Cr.No.78/2015 of Karkhana Police Station, Cr.No.229/2015 of Saifabad Police Station, Cr.No.207/2015 of Humayunnagar Police Station and Cr.No.153/2015 of Market Police Station have been registered against the detenu. In addition thereto, various other crimes registered against him earlier.

The detention order has been challenged mainly on two grounds, namely; that, the offences alleged against the detenu even if proved, constitute law and order problem and that they do not cause disturbance to the public order, and that therefore, exercise of power by respondent No.2 under the Preventive Detention Act is not sustainable, and that the detenu was not supplied with the grounds of detention and the material in

Hindi version, which language is known to him, to enable him to make effective representation.

At the hearing, Smt.Thakur Roopa Singh, representing Sri A.Ravi Shankar, learned counsel for the petitioner, reiterated the aforementioned two grounds, mentioned in the writ petition.

As regards the first ground, the *modus operandi* alleged against the detenu would clearly reveal that he is indulging in organized crime by running an auto and luring the innocent people to board the auto and stealing valuables from them by deception.

In our opinion, the manner in and the frequency with which the detenu has allegedly committed the offences between 23.03.2015 to 29.11.2015 would indicate that the activities of the detenu have the potential of causing grave panic to the public as a sense of fear will get infused into their minds that it is dangerous to board a sharing auto as alleged in the impugned detention order. Therefore, the alleged offences attributed to the detenu not only disturb the law and order, but also the public order.

With regard to the second submission of the learned counsel, in his counter affidavit, respondent No.2 has categorically averred that the detention order along with material was furnished to the detenu both in English and also in Hindi version.

Today, the learned Asst.Govt.Pleader for Home placed before us the original record, a perusal of which shows that the entire material including the detention order has been supplied to the detenu in English and Hindi version and each page of the material contains the signature of the detenu with the attestation of the Jailor at the end of the material.

Therefore, we do not find any merit in the submission of the learned counsel, appearing for the petitioner.

For the afore-mentioned reasons, the writ petition is devoid of any merit and the same is accordingly dismissed. No order as to costs.

As a sequel to dismissal of the writ petition, WPMP No.30383/2016 filed by the petitioner for interim relief, is dismissed as infructuous.

C.V.NAGARJUNA REDDY,J

M.S.K.JAI SWAL,J

Date: 20.12.2016
Dsr

