

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

AND

THE HON'BLE SRI JUSTICE M.S.K.JAISWAL

W.P.No. 16329 OF 2016

DATED 09TH NOVEMBER, 2016

Between:

S.Narendra Reddy

... Petitioner

AND

The State of Telangana,
Rep. by its Principal Secretary (Political),
General Administration (L & O Department),
Secretariat, Hyderabad, and others

.... Respondents

Counsel for the petitioner

: Sri Srinivas Bodduluri

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*)

This Writ Petition is filed for issue of *habeas corpus* by declaring order in proceedings No. C1875/2016 dated 27-02-2016 of respondent No. 2 as confirmed by order dated 05-03-2016 of respondent No. 1 as illegal and setting the petitioner free from detention.

2. This case was argued at length by both parties. Though an interesting issue pertaining to the jurisdiction of respondent No. 2 to pass the detention order against the petitioner, who is not a resident of the State of Telangana, has been raised by the learned counsel for the petitioner and argued at length, learned Government Pleader for Home (T.S.) submitted that on the facts of the case, the issue raised in the Writ Petition may be left open for a decision in an appropriate case and that respondent Nos. 1 and 2 have no objection if the detention order is set aside subject to the condition that the detenu shall not enter the State of Telangana till the expiry of the balance detention period. Sri Srinivas Bodduluri, learned counsel for the petitioner, submitted that his client has no objection for the above noted proposal made by learned Government Pleader.

3. In the light of the above submissions of the learned counsel for the parties, we refrain from adjudicating the aforementioned issue raised in the Writ Petition while leaving the same open to be decided in an appropriate case. Accordingly, the impugned detention orders are set aside with the direction that the petitioner shall be released forthwith from the detention, if he is not required in any other case (s), subject to the condition that before his release from the detention, he shall execute a bond addressed to respondent No. 2 undertaking therein that he will forthwith leave the State of Telangana and not re-enter it till

the expiry of the balance detention period and handover the bond to respondent No. 3 who shall forward the same to respondent No. 2.

4. The Writ Petition is, accordingly, allowed to the extent indicated above.

5. As a sequel to disposal of the Writ Petition, W.P.M.P.Nos. 20120, 20121 and 44919 of 2016 shall stand closed as infructuous.

C.V.NAGARJUNA REDDY, J.

Date: 09-11-2016.
JSK

M.S.K.JAISWAL, J.

