

**THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER**

WRIT PETITION No.5769 of 2017

O R D E R

(per SK,J)

The petitioner seeks a writ of Habeas Corpus to produce her husband-Syed Isaac, who was detained in the Central Prison, Chenchalguda, Hyderabad, pursuant to the order of detention dated 10.11.2016 passed by the Commissioner of Police, Hyderabad City, in exercise of power under Section 3(2) of the Telangana Prevention of Dangerous Activities of Boot-Leggars, Dacoits, Drug-Offenders, Goondas, Immoral Traffic Offenders and Land Grabbers Act, 1986 (for short, 'the Act of 1986'). The said order of detention was approved by the Government of Telangana *vide* G.O.Rt.No.2526 dated 21.11.2016 and was thereafter confirmed *vide* G.O.Rt.No.145 dated 12.01.2017 for a period of 12 months from the date of detention i.e. 11.11.2016.

Sri George Victor, learned counsel for the petitioner, would raise only one ground of attack against the detention of the petitioner's husband. He would state that in the grounds of detention, the Commissioner referred to nine criminal cases in which the petitioner's husband was involved but details were not furnished in all the cases and documents relating to three out of the nine cases were never furnished to him. Learned counsel would contend that failure on the part of the authorities in furnishing all the documents prejudicially affected the right of the detenu to make an effective representation to the advisory board, guaranteed to him under the Constitution and the provisions of the Act of 1986.

Learned Assistant Government Pleader for Home relying upon the counter filed by the Commissioner of Police, Hyderabad City, would state that the cases in question were merely referred to in the context of the antecedent criminal history of the detenu but all the cases were not considered as grounds for detention. Learned Assistant Government Pleader would point out that only four cases relating to the year 2016 were considered as grounds for

detention and all the papers pertaining thereto were furnished to the detenu.

Perusal of the grounds of detention bears out the statement made by the learned Assistant Government Pleader that only a passing reference was made to three bodily offences and six property offences committed by the petitioner's husband, the detenu, from the year 2008 up to the year 2016. Reliance was however placed upon only four out of the nine cases, being crimes of the year 2016 allegedly committed within a span of two and half months.

Sri George Victor, learned counsel, does not deny that all the documents relating to these four crimes were provided to the detenu.

That being so, we find no procedural impropriety on the part of the authorities whereby it can be stated that the right of the detenu to make an effective representation against his detention was prejudicially affected. We therefore find no grounds to interfere with the impugned order of detention.

The writ petition is devoid of merit and is accordingly dismissed. Pending miscellaneous petitions, if any, shall also stand dismissed. No order as to costs.

SANJAY KUMAR,J

Dr. SHAMEEM AKTHER,J

Date:30.08.2017

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