

**HON'BLE SRI JUSTICE SURESH KUMAR KAIT
AND
HON'BLE SRI JUSTICE U.DURGA PRASAD RAO**

WRIT PETITION No.37741 of 2016

ORDER : (Per Hon'ble Sri Justice Suresh Kumar Kait)

Vide the present petition, the petitioner seeks direction thereby quashing the detention order dated 15th March 2016 vide proceedings SB(I) No.138/PD/S-1/2016, passed by the 2nd respondent. Learned counsel appearing on behalf of the petitioner submits that the detenu is aged 21 years, is a student and submits that the detention order was passed treating him as '*Goonda*' and same was passed basing on the following three crimes :

- (1) Crime No.16/2016 registered at Humayunnagar Police Station for the offences punishable under Sections 420 and 379 of IPC.
- (2) Crime No.79/2016 registered at Banjara Hills Police Station for the offences punishable under Sections 420, 379 r/w.34 of IPC.
- (3) Crime No.13/2016 registered at Shalibanda Police Station for the offence punishable under Section 384 of IPC.

She submits that the detention order was passed by the 2nd respondent while the detenu was in judicial custody in connection with the aforesaid crimes. There was no approval for the detention order by the Government. The detenu was native of Bihar and he is not well educated and cannot read and understand English. Though the detention order states that the detenu has right to represent against the order of detention to the detaining authority i.e. Commissioner of Police, Hyderabad City or the Chief Secretary to Government of Telangana or the Advisory Board, the detenu could not make effective representation as he could not understand the order of detention and the grounds of detention, which are in English.

Learned counsel further submits that the detenu has learned to sign in Hindi in the jail, however, he cannot read, right or understand the Hindi language.

In the counter affidavit filed by the 2nd respondent, it is stated that each and every document is translated into Hindi, known language to the detenu. Same was supplied on 20th March 2016 in jail within the statutory period and there is not even a single document relied upon, which is not supplied to the detenu, and therefore, the present petition has no merit and the same is liable to be dismissed.

During the arguments, counsel for petitioner could not point out even a single document either in English or Telugu, which was not translated into Hindi and not served to the detenu. The detenu is from the State of Bihar, which is a Hindi speaking State. In the present case, we have seen the signature of the petitioner. It seems the petitioner is atleast a graduate or above the matriculation. Moreover, it is an admitted fact that the detenu is 21 years old and his occupation is student. There are three cases registered against the detenu. He is a habitual offender and we are satisfied that the grounds of detention are sufficient to show that the detenu is danger to the society, therefore, his detention is necessary.

In view of above, we find no ground in the instant petition and the same is accordingly dismissed.

Pending miscellaneous applications, if any, shall stand closed.

SURESH KUMAR KAIT, J

U.DURGA PRASAD RAO, J

1st February 2017

ajr