

**HON'BLE SRI JUSTICE SURESH KUMAR KAIT
AND
HON'BLE SRI JUSTICE P. KESHA RAO**

WRIT PETITION No.19245 of 2017

ORDER : (Oral)

(Per Hon'ble Sri Justice Suresh Kumar Kait)

Vide the present petition, petitioner has challenged the detention order dated 19.04.2017 and the subsequent order passed by the respondents.

2. Learned counsel appearing on behalf of petitioner argued that in the grounds of detention, it is specifically stated that the detenu was arrested on 13.11.2016 in connection with Crime No.316/2016 of Mydukur U/G Police Station and was sent for Judicial remand. Thereafter, bail was granted to him on 18.01.2017 by the VI Additional District Judge, Kadapa.

3. We note, it is stated in the grounds of detention that inspite of registration of crimes and arrest, it is evident that the detenu came out from the prison on bail and is habitually committing similar offences. More over, the laws under which the detenu is being prosecuted, are not deterring him from doing the illegal activities. Therefore, the detention order has been passed with a view to prevent him from causing damage to the National wealth.

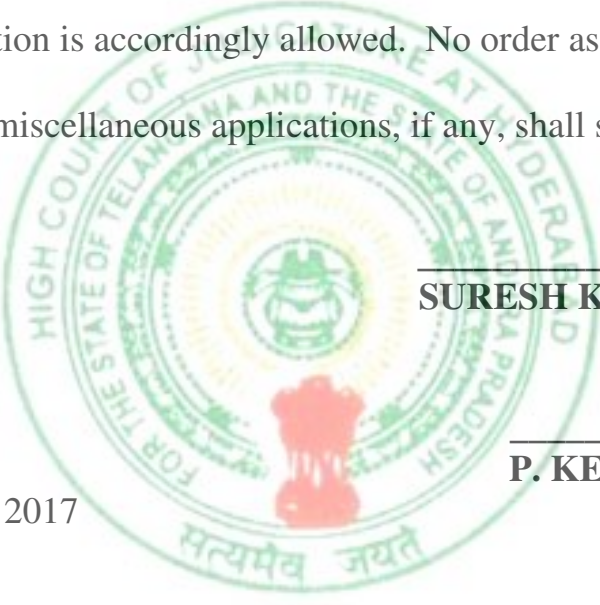
4. In the counter affidavit, it is admitted by the respondents that after the detenu was arrested on 13.11.2016 in Crime No.316/2016, he was never released on bail.

5. In view of the fact that the detenu was arrested on 13.11.2016 and remained in jail throughout, there was no question of his committing offences thereafter.

6. In view of above, we hereby set aside the detention order dated 19.04.2017 and the consequential orders thereto, passed by the respondents. Consequentially, the Superintendent, Central Prison, Kadapa, YSR Kadapa District is directed to release the detenu forthwith, if not required in any other criminal case.

7. Writ petition is accordingly allowed. No order as to costs.

Pending miscellaneous applications, if any, shall stand closed.



SURESH KUMAR KAIT, J

P. KESHA VA RAO, J

15th November, 2017

ajr