

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

WRIT PETITION No.9403 of 2017

ORDER: (per Hon'ble Sri Justice Sanjay Kumar)

The petitioner seeks a writ of Habeas Corpus declaring the order of detention dated 07.01.2017 passed by the Collector and District Magistrate, Bhadradi Kothagudem, as illegal and to consequently produce and set free her husband, Guguloth Ramesh. The order of detention dated 07.01.2017 was approved by the Government of Telangana *vide* G.O.Rt.No.165, General Administration (Spl.(Law & Order) Department, dated 17.01.2017, and was eventually confirmed *vide* G.O.Rt.No.763, General Administration (Spl.(Law & Order) Department, dated 20.03.2017.

Perusal of the order of detention reflects that the husband of the petitioner was involved in five cases of possession, sale and transportation of illicitly distilled liquor within a short span of seven months viz., from July, 2016 to January, 2017. The grounds of detention record that in three out of the five cases, the petitioner's husband was granted bail.

Sri Papaiah Peddakula, learned counsel representing Sri Gopinath Lakkineni, learned counsel for the petitioner, would fairly state that even in the other two cases, the petitioner's husband was granted bail after the order of detention was passed.

That being so, the subjective satisfaction of the detaining authority that the petitioner's husband was a habitual offender involved in bootlegging activities of sale, possession and transportation of illicitly distilled liquor and that he would resume such activities constituting a threat to public order does not warrant interference.

Learned counsel would submit that the petitioner is blessed with two children and the welfare of the family is put at risk owing to the continued incarceration of her husband.

This, in our opinion, cannot constitute a ground to set at naught the valid order of preventive detention passed by the District Collector, Bhadradi Kothagudem District, in exercise of power under Section 3(1) and (2) read with Section 2(a) and (b) of the Telangana Prevention of Dangerous Activities of Bootleggers, Dacoits, Drug Offenders, Goondas, Immoral Traffic Offenders and Land Grabbers Act, 1986.

We therefore find no merit in this writ petition and the same 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:16.08.2017

PGS