

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

WRIT PETITION No.20687 of 2017

ORDER : (Oral)

(Per Hon'ble Sri Justice Suresh Kumar Kait)

Vide the present petition, petitioner has challenged the detention order dated 07.02.2017 and the subsequent order passed by the respondents, whereby, the son of the petitioner has been detained on 13.02.2017.

2. Learned counsel appearing on behalf of petitioner submits that the respondents have relied upon 7 cases registered against the detenu. All are offences punishable under Section 379 of IPC. He submits that the detenu has been falsely implicated in all those cases and considering the fact that he has not committed those offences, he was directed to be released on bail.

3. Learned counsel further submits that the aforesaid cases are not prejudicial to the public order, however, with the commission of those offences, the law and order only can be disturbed, which can be prevented by the respondents. Therefore, there was no necessity to pass detention order against the detenu.

4. We note, in the detention order dated 07.02.2017, it is stated that the detenu is a habitual property offender and is a gunda. He has been indulging in series of property offences by committing burglary and theft of 2/4 wheeler vehicles in the limits of Hyderabad and Cyberabad Police

Commissionerates and also in the limits of Karimnagar District. The detenu created large scale fear and panic among the general public by committing such offences in public places. Therefore, to maintain public order, peace and tranquility in the society, the detention order is passed against the detenu.

5. While passing the detention order, the detaining authority has specifically stated that having regard to the past and recent incidents of theft committed by the detenu, there is every likelihood of his indulging in similar activities, which are detrimental to the public order.

6. It is not in dispute that the detenu was directed to be released on bail in all the aforesaid cases and finally he was released from jail on 27.12.2016.

7. Keeping in view the fact that the detenu was involved in 7 cases and is released from jail, the respondents apprehend that he would indulge in similar activities which are prejudicial to the public order.

8. Counsel for the petitioner is not disputing that there are 7 cases registered against the detenu and in all the cases, bail was granted and finally on 27.12.2016, he was released from the jail.

9. Keeping in view the past history and registration of 7 cases of house burglary and theft of 2/4 wheelers against the detenu, we find no perversity or illegality in the detention order dated 07.02.2017 and the subsequent order passed by the respondents.

10. Finding no merit in the instant petition, we hereby dismiss the same. 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

