

THE HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY
AND
THE HON'BLE SRI JUSTICE M.S.K. JAISWAL

WRIT PETITION NO.29266 OF 2016

DATED:04-1-2017

Between:

Kolla Sandhya ... Petitioner

And

The State of Telangana
Rep. by its Principal Secretary
to the Government (Political)
Secretariat
Hyderabad
and others

... Respondents

COUNSEL FOR THE PETITIONER: Mr. A. Prabhakar Rao

COUNSEL FOR THE RESPONDENTS: G.P. for Home (TS)



THE COURT MADE THE FOLLOWING:

ORDER: (per the Hon'ble Sri Justice C.V. Nagarjuna Reddy)

The detention of one Kolla Santosh, husband of the petitioner, under the provisions of Section 3(1) 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, is questioned in this writ petition.

A perusal of the impugned detention order shows that the detenu was detained on the allegation that he is indulging in the activities of bootlegger. At the hearing, learned counsel for both the parties have admitted that in identical cases this Court has set aside the detention order subject to the condition of giving a written undertaking by the detenu before his release addressed to the detaining authority to the effect that he shall live outside the Hyderabad Metropolitan Development Authority (HMDA) area till the expiry of the balance period of detention. The learned counsel for the detenu has agreed that his client will live in Sangareddy area till the expiry of the rest of the detention period.

The impugned detention order, which was confirmed by respondent No.1 vide G.O. Ms. No.1736, dt.06.08.2016, is accordingly set aside and the writ petition is allowed. The detenu shall be released forthwith from the detention, if he is not required in any other case or crime, subject to his giving a written undertaking addressed to respondent No.2, to the effect that he shall leave the HMDA area and live in Sangareddy till the detention period is over, and handing over the same to the Superintendent, Central Prison, Chanchalguda, in which he is presently detained.

C.V. NAGARJUNA REDDY, J

M.S.K. JAISWAL, J

4-1-2017
bnr

