

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

Writ Petition No.28202 of 2016

ORDER: (per SKK, J)

Vide present petition, the petitioner has challenged the detention order dated 30.07.2016, whereby the petitioner was arrested and since then he is in jail.

2. Counsel for the petitioner apart from other grounds, has taken the ground that the petitioner is from the State of Karnataka, knows only Kannada language and he does not understand English or Telugu, whereas the Detenuing Authority furnished the order of detention and grounds thereof to the detenu in the language of English and Telugu.

3. Vide order dated 08.02.2017, the respondents were directed to file proof of documents that were supplied to the detenu within five days from the date of detention.

4. Learned counsel for the respondents has fairly conceded that within five days, as required under Section 8(1) of the Telangana Prevention of Dangerous Activities of Bootleggers, Dacoits, Drug-Offenders, Goondas, Immoral Traffic Offenders and Land Grabbers Act, 1986 (for short 'the Act') Act, the documents could not be supplied, however, supplied on the sixth day.

5. It is not in dispute that the detention order and grounds of detention has to be supplied at the time of serving the detention order upon the detenu. As per Section 8 of the Act, the documents relied upon by the respondents have to be supplied in the known language of the detenu within five days from the date of detention order. In the

present case, the respondents failed to supply the documents, as admitted by the respondents.

6. In view of the above, we hereby allow the writ petition by quashing the detention order dated 30.07.2016. Consequently, the Superintendent, Central Prison, Chenchalguda, Hyderabad, is directed to release the detainee i.e., Govind Durgappa Gidda Gokanvi @ Anand @ Gidd Govind @ Keshav @ Srinivas S/o Durgappa, forth with, unless he is required in any other crime. No order as to costs. Miscellaneous petitions pending if any, in this writ petition, shall stand closed.

SURESH KUMAR KAIT, J

U. DURGA PRASAD RAO, J

Date: 15.02.2017
BSS



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

174

Writ Petition No.28202 of 2016



Date: 15.02.2017

BSS