

HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY
AND
HON'BLE SRI JUSTICE GUDISEVA SHYAM PRASAD

WRIT PETITION No.12738 of 2018

Date: 03.07.2018

Between :

Smt. Dasari Yadamma

... Petitioner

And

The State of Telangana,
rep. by its Principal Secretary,
Home Department, Secretariat,
Hyderabad and others.

... Respondents

COUNSEL FOR PETITIONER : Mr. Hussain Aamir, representing
Mr. V. Raghunath

COUNSEL FOR RESPONDENTS : G.P. for Home (T.S.)

THE COURT MADE THE FOLLOWING:

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

This writ petition is filed for issue of Habeas Corpus while quashing G.O.Rt.No.2591, dated 18.12.2017, issued by respondent No.1.

The son of the petitioner, by name Dasari Surender @ Suri, s/o. D. Sambaiah (for short 'the detenu') was detained under the provisions of the 'Telangana Prevention of Dangerous Activities of Bootleggers, Dacoits, Drug-Offenders, Goondas, Immoral Traffic Offenders, Land-Grabbers, Spurious Seed Offenders, Insecticide Offenders, Fertiliser Offenders, Food Adulteration Offenders, Fake Document Offenders, Scheduled Commodities Offenders, Forest Offenders, Gaming Offenders, Sexual Offenders, Explosive Substances & Arms Offenders, Cyber Crime Offenders and White Collar or Financial Offenders Act, 1986 (for brevity "the Act"), on the ground that he has been indulging in criminal activities of chain snatching and abduction for ransom and presently figuring as Accused in six cases involving the property offences.

It is not in dispute that the detenu was earlier detained on 16.02.2015 for a period of 12 months and after he came out of the detention, the above mentioned six cases were registered.

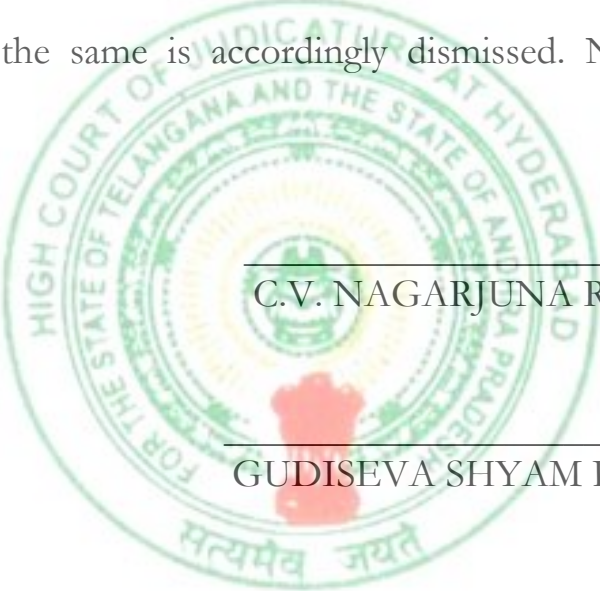
The only submission advanced by the learned counsel for the petitioner is that, out of the six cases, the detenu pleaded guilty in four cases and one case was compromised before the Lok Adalat and the remaining one case is pending and as the detenu wants to lead a peaceful life, he has admitted his guilt and that, therefore, the impugned detention order vide G.O.Rt.No.2591, dated 18.12.2017, may be set aside.

The learned Government Pleader for Home (T.S.) has opposed the above submissions and submitted that the detenu is a chronic and incorrigible offender habituated in committing the property offences thereby disturbing the public order and that, therefore, it is not possible to believe that the detenu will change his way of life and live as a law abiding citizen.

After carefully considering the submission of the learned counsel for both the parties, we are of the opinion that the impugned preventive detention order does not suffer from any illegality. There cannot be any doubt that the nature of offences for which the detenu is being prosecuted, namely; chain snatchings and abduction of persons for ransom would certainly affect the public order. The detenu has the past history of being detained and allegedly repeating the commission of similar offences after he was released from the detention. Having served the detention for full

term, the detenu does not appear to have mended his ways atleast after his release from detention and allegedly repeated the same offences which he has committed earlier. In the light of these facts, it is not possible to accept the submission of the learned counsel for the petitioner and the impugned detention order passed against the detenu does not suffer from any illegality or infirmity warranting interference by this Court.

In view of the above, we do not find any merit in the writ petition and the same is accordingly dismissed. No order as to costs.



C.V. NAGARJUNA REDDY, J

GUDISEVA SHYAM PRASAD, J

03.07.2018.

Msr

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Msr