

The Hon'ble Sri Justice C.V.Nagarjuna Reddy

and

The Hon'ble Sri Justice T.Amarnath Goud

W.P.No.33873 of 2018

Date: 09.11.2018

Between:

P.Lakshmi

....Petitioner

And:

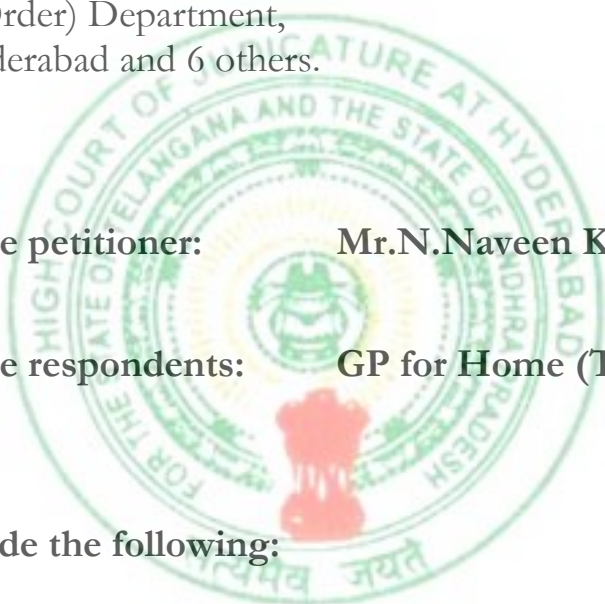
The State of Telangana,
Rep. by its Principal Secretary,
General Administration
Spl.(Law and Order) Department,
Secretariat, Hyderabad and 6 others.

....Respondents

Counsel for the petitioner: Mr.N.Naveen Kumar

Counsel for the respondents: GP for Home (TS)

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* directing the respondents to release the petitioner's husband *viz.*, Pothuraju Ramchandrudu @ Chandraiah Yadav (for short 'the *detenu*') from detention by quashing Proceeding No.23/PD/CCRB/CYB/2018, dated 21.06.2018, of respondent No.3, as confirmed by respondent No.1 *vide* G.O.Rt.No.1759, dated 04-09-2018.

After hearing the learned Counsel for both parties and having perused the record, we are of the opinion that this is a fit case where the detention order can be quashed subject to the condition that the *detenu* shall leave the jurisdiction of the Commissionerate concerned and stay away from the said area till the expiry of the remainder period of detention.

Accordingly, the impugned detention order, *vide* Proceeding No.23/PD/CCRB/CYB/2018, dated 21.06.2018, of respondent No.3, as confirmed by respondent No.1 *vide* G.O.Rt.No.1759, dated 04.09.2018, are set aside, subject to the following conditions:

- (i) The *detenu* shall be released forthwith from the detention, subject to his giving a written undertaking addressed to respondent No.2 to the effect that he shall leave the Cyberabad Police Commissionerate limits and live outside the said area till the detention period is over, and handing over the same to the Superintendent of the Central Prison, Cherlapally, in which he is presently detained;

(ii) It is made clear that if the *detenu* repeats his conduct of committing the offences in future, the respondents shall be free to initiate a fresh action against him in accordance with law;

(iii) The *detenu* is, however, permitted to enter the Cyberabad Police Commissionerate limits only for the limited purpose of attending the jurisdictional Courts in connection with all the criminal cases, which are pending against him.

Subject to the above directions, the Writ Petition is allowed.

(C.V.Nagarjuna Reddy, J)

(T.Amarnath Goud, J)

Dt: 9th November, 2018
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