

**THE HONOURABLE THE CHIEF JUSTICE
SRI THOTTATHIL B. RADHAKRISHNAN**

AND

THE HONOURABLE SRI JUSTICE A. RAJASHEKER REDDY

WRIT PETITION No.36089 OF 2018

ORDER: (Per Hon'ble Sri Justice A. Rajasheker Reddy)

This Writ Petition is filed for issue of *Habeas Corpus* directing the respondents to release Saraab Keshava Chari alias Chinna alias Kittu (detenu), son of S. Nagarjuna Achari, from detention by setting aside the order and proceedings No.SB(I) No.11/PD-3/HYD/2018 dated 28.03.2018 of respondent No.2 passed under Sub-Section (2) of Section 3 of The Telangana Prevention of Dangerous Activities of Bootleggers, Dacoits, Drug-offenders, Goondas, Immoral Traffic Offenders and Land-Grabbers Act, 1986 (Act No.1 of 1986), as confirmed in G.O.Rt.No.1896, General Administration (Spl.Law & Order) Department, dated 19.09.2018, passed by respondent No.1.

2. Sri Challa Dhanamjaya, learned counsel for the petitioner, and learned Government Pleader for Home submit that in similar circumstances, a Division Bench of this Court allowed W.P. No.26715 of 2018 by the order dated 20.09.2018 on certain conditions and in terms thereof, this writ petition may be disposed of.

3. In the light of the above, the impugned detention order vide proceedings No.SB(I) No.11/PD-3/HYD/2018 dated 28.03.2018 of respondent No.2 as confirmed in G.O.Rt.No.1896 dated 19.09.2018 of

respondent No.1 are set aside, without going into the merits of the case, but on the consensus reached between the parties, 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 Hyderabad 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, Chanchalguda, Hyderabad, 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 Hyderabad 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.

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

No order as to costs.

As a sequel thereto, Miscellaneous Petitions, if any pending, in the writ petition stand closed.

THOTTATHIL B. RADHAKRISHNAN, CJ

A. RAJASHEKER REDDY, J

January 23, 2019.

NOTE:

Issue operative portion of the order forthwith to both sides.

(BO) PV