

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)**

**THURSDAY, THE THIRTIETH DAY OF JULY
TWO THOUSAND AND TWENTY**

PRESENT

**THE HON'BLE THE CHIEF JUSTICE SRI RAGHVENDRA SINGH CHAUHAN
AND
THE HON'BLE SRI JUSTICE B. VIJAYSEN REDDY**

WRIT PETITION NO: 7132 OF 2020

Between:

K.Damla, S/o.Vasram Chawan, aged about 59 years, R/o.Near Hanuman Temple, Hanuman Nagar, Sadasivpet, Sangareddy, N/o.H.No.6-37, Ramnagar, Hyderabad.

...PETITIONER

AND

1. The State of Telangana, Rep. by its Spl. Chief Secretary to the Govt.(Poll.), GAD Dept., Secretariat Buildings, Telangana, Hyderabad.
2. The Commissioner of Police, Cyberabad Commissionerate.
3. The Superintendent, Central Prison, Cherlapalli, Medchal District.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a Writ of Habeas Corpus under Art.226 of the Constitution of India directing the respondents to produce Sri.Kelavath Shankar S/o.K.Damla, now detained at Central Prison, Cherlapalli, Medchal District, before this Honorable Court and he may be ordered to be released forthwith/set at liberty after declaring his detention vide No.06/PD-CELL/CYB/2020, dated 15/02/2020 passed by the 2nd respondent and consequential confirmation orders passed by the 1st respondent as illegal, unconstitutional and void.

Counsel for the Petitioner: SMT. B. MOHANA REDDY

**Counsel for Respondents: SRI S. SHARATH KUMAR,
SPECIAL GOVERNMENT PLEADER**

THE ADVOCATE GENERAL

IT IS ORDERD AS FOLLOWS

THE HON'BLE THE CHIEF JUSTICE SRI RAGHVENDRA SINGH CHAUHAN
AND
THE HON'BLE SRI JUSTICE B.VIJAYSEN REDDY

WRIT PETITION No.7132 OF 2020

ADVANCE ORDER:

The Writ Petition is allowed. The impugned detention order dated 15.02.2020 passed by the respondent No.2, and the consequential confirmation order dated 22.04.2020 are, hereby, set aside. The respondents are directed to set the *detenu*, namely Kelavath Shankar, S/o K. Damla, at liberty forthwith, in case he is no longer detained in the criminal cases which have been registered so far against him.

(Detailed Judgment follows.....)

//TRUE COPY//

Sd/- I. NAGA LAXMI
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Special Chief Secretary to the Govt.(Poll.), GAD Dept., State of Telangana Secretariat Buildings, Telangana, Hyderabad.
2. The Commissioner of Police, Cyberabad Commissionerate.
3. The Superintendent, Central Prison, Cherlapalli, Medchal District.(By Special Messenger)
4. One CC to Smt. B Mohana Reddy Advocate [OPUC]
5. Two CCs to the Advocate General, High Court for the State of Telangana (OUT)
6. Two CCs to Sri S. Sharath Kumar, Special Government Pleader, High Court for the State of Telangana (OUT)
7. Two CD Copies

MBC



HIGH COURT

**HCJ
&
BVR,J**

DATED: 30/07/2020



ADVANCE ORDER

WP.No.7132 of 2020

ALLOWING THE WRIT PETITION

WITHOUT COSTS

10
REMA
DT-30/7/2020.