

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

TUESDAY, THE TWENTY NINTH DAY OF DECEMBER
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: 13996 OF 2020

Between:

Abdul Basheer, S/o. Abdul Rasool, aged 24 years, Occ: Pvt. Service, R/o. H.No. 18-8-649/A/100, Mohd Nagar, Edi Bazar, Charminar, Yakutpura, Hyderabad, Telangana State.

...PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary, General Administration Spl. (Law and Order) Department, Secretariat, Hyderabad.
2. The Commissioner of Police and Additional District Magistrate (Executive) Hyderabad City, Hyderabad.
3. The Superintendent, Central Prison Hyderabad at Chanchalguda.

...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 an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Habeas Corpus, directing 3rd Respondent to produce the detenu viz., Mohd Akbaruddin Farooqui @ Akbar now detained in Central Prison Hyderabad, at Chanchalguda before this Hon'ble Court and set-aside the impugned detention order passed by the 2nd Respondent vide S.B (I). No.11/ PD-3/ HYD/2020, dt. 06/03/2020 and confirmation order passed by the 1st Respondent vide G.O.Rt.No.862, dated 11/05/2020 as being illegal, arbitrary, improper, unilateral, unconstitutional and violative of Article 21 and 22 of the Constitution of India, and to forthwith release the Detenu.

Counsel for the Petitioner: SRI. PASHAM TRIVIKRAM REDDY

Counsel for the Respondents: SRI T. SRIKANTH REDDY, GP FOR HOME

IT IS ORDERED AS FOLLOWS

THE HON'BLE THE CHIEF JUSTICE SRI RAGHVENDRA SINGH CHAUHAN

AND

THE HON'BLE SRI JUSTICE B. VIJAYSEN REDDY

WRIT PETITION No.13996 of 2020

ADVANCE ORDER:

The Writ Petition is allowed. The impugned detention order dated 06.03.2020 and the confirmation order dated 11.05.2020 are hereby set aside. The respondents are directed to set the detainee, namely Mohd. Akbaruddin Farooqui @ Akbar, S/o. Mohd. Mohsin, 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/- M.MANJULA
ASSISTANT REGISTRAR

CH. Ch.
SECTION OFFICER

To,

1. The Principal Secretary, General Administration Spl. (Law and Order) Department, State of Telangana Secretariat, Hyderabad.
2. The Commissioner, of Police and Addl District Magistrate (Executive) Hyderabad City, Hyderabad.
3. The Superintendent, Central Prison Hyderabad, at Chanchalguda. (By Special Messenger)
4. One CC to Sri Pasham Trivikram Reddy, Advocate [OPUC]
5. Two CCs to GP for Home, High Court for the State of Telangana at Hyderabad. [OUT]
6. Two CD Copies

CHR

V. J.

HIGH COURT

DATED:29/12/2020



ADVANCE ORDER

W.P.No.13996 of 2020

ALLOWING THE WRIT PETITION
WITHOUT COSTS

⑧ VLV
29/12/20