

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

FRIDAY, THE TWENTY NINTH DAY OF APRIL
TWO THOUSAND AND TWENTY TWO

PRESENT

THE HONOURABLE Dr. JUSTICE SHAMEEM AKTHER
AND
THE HONOURABLE SMT JUSTICE JUVVADI SRIDEVI

WRIT PETITION NO: 16902 OF 2022

Between:

Zaheda Begum, W/o. Syed Siraj, Aged 44 Years, Occ Housewife, R/o
H.No.17-3-208/5/A, Imli Ban, Yakutpura, Hyderabad.

...PETITIONER

AND

1. The State of Telangana, Rep. by Chief Secretary, Secretariat building, Hyderabad
2. The Commissioner of Police, Hyderabad City, Basheerbagh, Hyderabad.
3. The Superintendent of Central Prison, Chanchalguda Hyderabad.

...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, Order or orders more particularly one in the nature Writ of Habeas Corpus Under Article 226 of the Constitution of India directing the Respondents to release the Detenu i.e. Syed Kaleem, S/o. Syed Siraj, who is now detained in Central Prison, Chanchalguda, Hyderabad by setting aside the order of detention passed by the Respondent No.2 vide proceeding SB (1) No.336/PD-7/HYD/2021, dated 29/11/2021, G.O.Rt.No.2728, dated 10/12/2021 and G.O.Rt.No.423, dated 22/02/2021 approved and confirmed by the Respondent No.1 as illegal, arbitrary, discriminatory and unsustainable in the eye of law as it is contrary to the Article 21 of the Constitution of India.

Counsel for the Petitioner: SRI MOHD MUZAFFER ULLAH KHAN

Counsel for the Respondents: THE ADDL. ADVOCATE GENERAL

It is ordered as follows:

**THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER
AND
THE HON'BLE SMT. JUSTICE JUVVADI SRIDEVI
WRIT PETITION No.16902 OF 2022**

ADVANCE ORDER: (Per Hon'ble Dr.SA,J)

In the result, the Writ Petition is allowed. The impugned detention order vide SB (I) No.336/PD-7/HYD/2021, dated 29.11.2021, passed by the respondent No.2, and the consequential confirmation order vide G.O.Rt.No.423, General Administration (Spl. (Law & Order)) Department, dated 22.02.2022, passed by the Principal Secretary to Government (Spl. (Law & Order)) Department, Government of Telangana, are hereby set aside. The respondents are directed to set the *detenu*, namely Syed Kaleem, S/o. Syed Siraj at liberty forthwith, if he is no longer required in any other criminal case.

(Detailed order follows..)

**SD/-T.KRISHNA KUMAR
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. The Chief Secretary, State of Telangana, Secretariat building, Hyderabad
2. The Commissioner of Police, Hyderabad City, Basheerbagh, Hyderabad.
3. The Superintendent of Central Prison, Chanchalguda Hyderabad, [By Special Messenger]
4. Two CCs to the Advocate General, High Court for the State of Telangana [OUT]
5. One CC to SRI MOHD. MUZAFFER ULLAH KHAN, Advocate [OPUC]
6. Two C.D. Copies.
7. One Spare Copy.

MRC

VMA



HIGH COURT

DATED:29/04/2022

ADVANCE ORDER

WP.No.16902 of 2022



ALLOWING THE WRIT PETITION.

PHK.
29/04

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