

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

WEDNESDAY, THE EIGHTH DAY OF JUNE
TWO THOUSAND AND TWENTY TWO

PRESENT

**THE HONOURABLE DR. JUSTICE SHAMEEM AKTHER
AND
THE HONOURABLE SMT JUSTICE JUVVADI SRIDEVI**

WRIT PETITION NO: 18832 OF 2022

Between:

Mohammed Naseem Begum, W/o. Mohammed Nadeem Ahmed, Aged about 46 years, Occ. Housewife, R/o. H. No. 1-38/829, Indiramma Nagar, Rasoolpura, Secunderabad, Hyderabad.

...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, Hyderabad.
3. The Superintendent, 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 an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Habeas Corpus, directing 3rd Respondent to produce the detainee viz., Mohammed Atiq Ahmed @ Fardeen S/o. Mohammed Nadeem Ahmed now detained in Central Prison, Chanchalguda, Hyderabad, before this Hon'ble Court and set-aside the impugned detention order passed by the Respondent No. 2 vide SB (I) No. 333/PD-4/HYD/2021, dated. 03/12/2021 and confirmation order passed by the 1st Respondent vide G.O. Rt. No. 744, dated 30/03/2022 as being illegal, arbitrary, improper, unilateral, unconstitutional and violative of Article 21 and 22 of the Constitution of India, and to forthwith release the Detenue.

Counsel for the Petitioner: SMT. BIBI AYESHA MOHAMMED

**Counsel for Respondents: GP FOR HOME FOR
THE 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.18832 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.333/PD-4/HYD/2021, dated 03.12.2021, passed by the respondent No.2, and the consequential confirmation order *vide* G.O.Rt.No.744, General Administration (Spl. (Law & Order)) Department, dated 30.03.2022, passed by the Chief Secretary to Government, General Administration (Spl. Law & Order)) Department, Government of Telangana, are hereby set aside. The respondents are directed to set the *detenu*, namely Mohammed Atiq Ahmed @ Fardeen, S/o Mohd. Nadeem Ahmed, at liberty forthwith, if he is no longer required in any other criminal case.

(Detailed order follows)

**SD/-K.AMMAJI
ASSISTANT REGISTRAR
SECTION OFFICER**

//TRUE COPY//

To,

1. The Principal Secretary General Administration (Spl. (Law and Order) Department, State of Telangana, Secretariate, Hyderabad.
2. The Commissioner of Police, Hyderabad.
3. The Superintendent, Central Prison, Chanchalguda, Hyderabad. **(By Special Messenger)**
4. One CC to Smt. Bibi Ayesha Mohammed, Advocate [OPUC]
5. Two CCs to The Advocate General, High Court for the State of Telangana at Hyderabad. [OUT]
6. Two CCs to GP for Home, High Court for the State of Telangana at Hyderabad. [OUT]
7. Two CD Copies
8. One Spare Copy

MBC

HVR

HIGH COURT

DATED:08/06/2022



ADVANCE ORDER

WP.No.18832 of 2022

ALLOWING THE WRIT PETITION

WITHOUT COSTS

(11)
8/6/22
HVT