

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

**MONDAY, THE TWENTY EIGHTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY TWO**

PRESENT

**THE HON'BLE SRI JUSTICE A.ABHISHEK REDDY
AND
THE HON'BLE SMT JUSTICE JUVVADI SRIDEVI**

WRIT PETITION NO: 34984 OF 2022

Between:

Nenavath Mounika, W/o Nenavath Hari, Age: 24, Housewife, R/o BN Reddy Nagar,
R.R. District.

...PETITIONER

AND

1. The State of Telangana, Represented by its Principal Secretary, General Administration (Spl. (Law and Order) Department, Secretariat, Hyderabad.
2. The Commissioner of Police, Rachakonda Commissionerate.
3. The Superintendent, Central Prison, Cherlapally, 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 Writ, Order or direction particularly one in the nature of WRIT OF HABEAS CORPUS under Article 226 of the Constitution of India directing the respondents to produce Nenavath Hari S/o Nariya., now detained in Central Prison, Cherlapally, Medchal Malkajgiri District., before this Hon'ble Court and he may be ordered to be released forthwith/set at liberty after declaring his detention vide Proceeding No.136/PD-CELL/CCRB/RCKD/2022 dated 02-09-2022 passed by the 2nd respondent as Confirmed by the 1st respondent vide

G.O.Rt.No.2002, dated 22.10.2022, as illegal, unconstitutional, Arbitrary, void,
violated article 14 & 21 of the Constitution of India and principle of natural justice.

**(Prayer is amended as per Court Order dated 08.11.2022 vide I.A.No.1 of 2022
in W.P.No.34984 of 2022)**

Counsel for the Petitioner: SRI M. AMARNATH

Counsel for the Respondents: THE ADDITIONAL ADVOCATE GENERAL

IT IS ORDERED AS FOLLOWS:

THE HON'BLE SRI JUSTICE A.ABHISHEK REDDY
AND
THE HON'BLE SMT JUSTICE JUVVADI SRIDEVI

WRIT PETITION No.34984 of 2022

ADVANCE ORDER: {Per the Hon'ble Sri Justice A.Abhishhek Reddy }

In the result, the Writ Petition is allowed. The impugned detention order *vide* No.136/PD-CELL/CCRB/RCKD/2022, dated 02.09.2022, passed by the respondent No.2, and the consequential confirmation order *vide* G.O.Rt.No.2002 dated 22.10.2022, are hereby set aside. The respondents are directed to set the detenu, namely, Nenavath Hari S/o.Nariya, at liberty forthwith, in case he is no longer required in any other criminal case. However, it is made clear that in case the detenu involves in any other crime of similar nature, the authorities concerned are free to take necessary action including passing of detention order against him.

(Detailed Judgment follows.....)

SD/- C.PRAVEEN KUMAR
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

- To,
1. The Principal Secretary, General Administration (Spl. (Law and Order) Department, State of Telangana, Secretariat, Hyderabad.
 2. The Commissioner of Police, Rachakonda Commissionerate.
 3. The Superintendent, Central Prison, Cherlapally, Medchal District.
(By Special Messenger)
 4. One CC to SRI M. AMARNATH, Advocate [OPUC]
 5. Two CCs to the Advocate General, High Court for the State of Telangana at Hyderabad. [OUT]
 6. Two CD Copies.

MP

SW

HIGH COURT

DATED:28/11/2022



ADVANCE ORDER

WP.No.34984 of 2022

**ALLOWING THE WRIT PETITION
WITHOUT COSTS**


ms
28/11/22