

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

WEDNESDAY, THE TWENTY THIRD DAY OF NOVEMBER
TWO THOUSAND AND TWENTY TWO

PRESENT

THE HONOURABLE SRI JUSTICE A.ABHISHEK REDDY
AND
THE HONOURABLE SMT JUSTICE JUVVADI SRIDEVI

WRIT PETITION NO: 35141 OF 2022

Between:

Umesh Ramesh Pawle, S/o. Ramesh Pawle, Aged 20 years, Occ ; Gas Suppler,
R/o. Near santhoshi Mala Temple, Katraj, Pune-46, House No. 227, Sy.No. 120/1.
Santhosh nagar, Pune city Now at Aurangabad, Harusul Circle, Maharastra State.

...PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary. General
Administration (Spl. (Law and Order) Department, Secretariat, Hyderabad.
2. The Collector and District Magistrate (Executive), Bhadradi Kothagudem.
3. The Superintendent, Central Prison Cherlapally, Medchal - Malkajgiri 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 an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Habeas Corpus, directing 3rd Respondent to produce the detainee i.e. Umesh Ramesh Pawle now detained in Central Prison Cherlapally, Medchal - Malkajgiri District before this Hon'ble Court and set-aside the impugned detention order passed by the 2nd Respondent vide Procds. No. C1/2814/2022, dt. 04-06-2022 **Confirmation Order vide G.O.Rt.No.1472 dated 19-07-2022** passed by 1st Respondent 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.

(Prayer is amended as per Court Order dated 13-10-2022 vide IA No.1 of 2022 in WP No.35141 of 2022)

Counsel for the Petitioner: M/s.RAVULA SOWMYA REDDY

Counsel for 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.35141 of 2022

ORDER: (per the Hon'ble Sri Justice A. Abhishek Reddy)

In the result, the Writ Petition is allowed. The impugned detention order bearing Proceedings No.C1/2814/2022 dated 04.06.2022 passed by the respondent No.2, and the consequential confirmation order *vide* G.O.Rt.No.1472 dated 19.07.2022, are hereby set aside. The respondents are directed to set the detenu, namely, Umesh Ramesh Pawle, S/o Ramesh Pawle, 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.....) }

//TRUE COPY//

SD/-M.MANJULA
DEPUTY REGISTRAR
Go
SECTION OFFICER

To

1. The Principal Secretary, General Administration (Spl. (Law and Order) Department, Secretariat, State of Telangana at Hyderabad.
2. The Collector and District Magistrate (Executive), Bhadradi Kothagudem.
3. The Superintendent, Central Prison Cherlapally, Medchal - Malkajgiri District.
(By Special Messenger)
4. Two CC to Advocate General, High Court for the State of Telangana at Hyderabad. (OUT)
5. One CC to M/s.RAVULA SOWMYA REDDY, Advocate [OPUC]
6. Two CD Copies
7. One spare copy

MRG
SB

HIGH COURT

DATED:23/11/2022

ADVANCE ORDER

WP.No.35141 of 2022



ALLOWING THE WRIT PETITION

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MA
23/11/22