*** THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER**
AND
*** THE HON'BLE SRI JUSTICE E.V.VENUGOPAL**

+ W.P.Nos.31745, 31752, 31754, 31755 & 31765 OF 2022

% Date: 11th October, 2022

W.P.No.31745 of 2022
Between:

K.Mamatha
... Petitioner

and

The State of Telangana and others
... Respondents

W.P.No.31752 of 2022

Between:

Gangajala
... Petitioner

and

The State of Telangana and others
... Respondents

W.P.No.31754 of 2022

Between:

Jamuna
... Petitioner

and

The State of Telangana and others
... Respondents

W.P.No.31755 of 2022

Between:

Sarojana
... Petitioner

and

The State of Telangana and others
... Respondents

W.P.No.31765 of 2022

Between:

Pochaiah

... Petitioner

and

The State of Telangana and others

... Respondents

! Counsel for the Petitioners: Smt. B.Mohana Reddy, Advocate

^ Counsel for the Respondents : Sri S.Mujib Kumar, Spl. G.P.

>HEAD NOTE:

? Cases referred

1. (2006) 6 SCC 14
2. Decided on 26.04.2019 in W.P.Nos.41946 & batch
3. (1992) 1 SCC 1
4. AIR 1966 SC 740
5. (1972) 3 SCC 831
6. (2021) 2 Supreme Court Cases 415
7. 2022 SCC Online SC 424
8. (2018) 12 Supreme Court Cases 150
9. AIR 1966 SC 740
10. (1984) 3 SCC 14

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THE HON'BLE SRI JUSTICE E.V.VENUGOPAL

W.P. Nos.31745, 31752, 31754, 31755 & 31765 OF 2022

COMMON ORDER: (Per Hon'ble Dr. Justice Shameem Akther)

Though the petitioners in these five Writ Petitions are different, since the issue involved in these writ petitions is one and the same and since the *detenus* in these writ petitions are the accused in the same crime, all these Writ Petitions are taken up together and are being disposed of by this common order.

2. W.P.No.31745 of 2022 is filed by Mrs.K.Mamatha, who is the wife of the detenu, namely Kandela Srinivas, W.P.No.31752 of 2022 is filed by Mrs.Gangajala, who is the wife of the detenu, namely Vanam Shekhar, W.P.No.31754 of 2022 is filed by Mrs.Jamuna, who is the wife of the detenu, namely Vanam @ Kedari Durgaiah @ Chinna Durgaiah, W.P.No.31755 of 2022 is filed by Mrs.V.Sarojana, who is the wife of the detenu, namely Vanam Chinna Gangaiah and W.P.No.31765 of 2022 is filed by Mr.Pochaiah, who is the father of the detenu, namely Vanam Durgaiah @ Durga Prasad, challenging the separate detention orders of the even date, dated 05.07.2022, passed by respondent No.2-Collector and District Magistrate, Jagtial

District, vide Rc.No.C1/724-1/2022, Rc.No.C1/724-5/2022, Rc.No.C1/724-3/2022, Rc.No.C1/724-2/2022 and Rc.No.C1/ 724-4/2022 respectively, and the consequential confirmation orders of the even date, dated 06.09.2022, passed by the Secretary to Government, General Administration (Spl. (Law & Order)) Department, Government of Telangana, vide G.O.Rt.Nos.1702, 1706, 1704, 1703 and 1705 respectively. Vide impugned detention orders, the respective *detenus* were detained under Section 3(2) of the Telangana Preventive Detention Act, 1986 (Act 1 of 1986).

3. We have heard the submissions of Smt. B.Mohana Reddy, learned counsel for the petitioners in all these writ petitions, Sri S.Mujib Kumar, learned Special Government Pleader appearing for the learned Additional Advocate General for the respondents and perused the record.

4. The background facts of the case, in brief, is that by relying on a solitary crime registered against the *detenus* in these writ petitions in Crime No.22 of 2022 of Jagtial Rural Police Station, Jagtial District, registered for the offences under Sections 120B, 147, 148, 302 read with 149 of IPC, the respondent No.2-Collector and District Magistrate, Jagtial

District, passed the impugned detention orders of the even date, dated 05.07.2022. According to the respondent No.2, the *detenus* are 'goondas', as they have indulged in brutal murder of three persons belonging to one family, in broad daylight, in public place, by inflicting fatal injuries with spears and knives in the limits of Jagtial Rural Police Station, creating large scale fear and panic among the general public, thereby adversely affecting the maintenance of public order, the impugned detention orders of the even date, dated 05.07.2022 were passed, which were confirmed by the Government by the orders of the even date, dated 06.09.2022. Hence, these writ petitions before this Court.

5. Learned counsel for the petitioners in these writ petitions vehemently contended that the impugned detention orders are illegal, arbitrary, unconstitutional, improper, against the principles of natural justice and has been passed in a mechanical manner and without application of mind. The impugned detention orders were passed basing on a solitary crime. The alleged criminal activities of the *detenus*, in any event, would not satisfy the word 'goonda', as defined under 2(g) of the Telangana Act 1 of 1986. The detaining authority has not applied its mind to the facts and circumstances of the case,

while passing the impugned detention orders. All the *detenus* were granted conditional statutory/ mandatory bail under Section 167(2) of Cr.P.C., by the Court concerned in the solitary crime relied by the detaining authority and the *detenus* are complying the conditions imposed in the statutory/mandatory bail order. Further, there are no criminal antecedents against the *detenus*. After the release of the *detenus* from judicial custody in the solitary crime, they have not indulged in any criminal activities and no fresh criminal cases have been registered against them. Under these circumstances, the apprehension of the detaining authority that the there is imminent possibility of the *detenus* indulging in similar offences, which are prejudicial to the maintenance of public order and that the free movement of the *detenus* in the society would disturb the 'public order' and the even tempo of public life and that their presence in the society is not in the interest and safety of the society, unless they are prevented from doing so by an appropriate order or detention, is highly misplaced. Further, the solitary crime relied by the detaining authority does not add up to "disturbing the public order" and it is confined within the ambit and scope of the word "law and order". Since the offences alleged against the *detenus* are under Indian Penal

Code, the *detenus* can certainly be tried and convicted under the Penal Code. Thus, there was no need for the detaining authority to invoke the draconian preventive detention law against the *detenus*. Hence, the impugned orders tantamount to colourable exercise of power. The subjective satisfaction recorded by the detaining authority in detaining the *detenus* is tainted and illegal. Preventive detention cannot be made a substitute to punitive detention. The detaining authority has to be extremely careful while passing the detention order, since the detention *ipso facto* adversely affects the fundamental right of personal liberty enjoyed by the people under Article 21 of the Constitution of India. Thus, the impugned detention orders are legally unsustainable and ultimately, prayed to set aside the same and allow the writ petitions as prayed for. In support of her contentions, the learned counsel had relied on the decision of the Hon'ble Apex Court in **R.Kalavathi Vs. State of T.N. and others**[1] and a decision of this Court in **Mrs.T.Padmaja and others Vs. State of Telangana and others**[2].

6. On the other hand, the learned Special Government Pleader appearing for the respondents, supported the impugned

[1] (2006) 6 SCC 14
[2] Decided on 26.04.2019 in W.P.Nos.41946 & batch

detention orders and submitted that the unlawful activities of the *detenus* squarely fall under the definition of the word 'goonda' defined under clause (g) of Section 2 of the Telangana Act 1 of 1986. In the solitary crime relied by the detaining authorities, the *detenus* have indulged in brutal murder of three persons belonging to one family, in broad daylight, in public place, by inflicting fatal injuries with spears and knives in the limits of Jagtial Rural Police Station, which created large scale fear and panic among the general public, which is prejudicial to the maintenance of public order. With a view to prevent the *detenus* from indulging in similar prejudicial activities, the impugned detention orders were passed. The subjective satisfaction reached by the detaining authority in preventively detaining the *detenus* is not tainted or illegal. Further, the Advisory Board, upon hearing the *detenus* and the concerned investigating officials and upon considering the entire material placed before it, rendered its opinion that there is sufficient cause for detention of the *detenus*. On considering the opinion of the Advisory Board and upon considering the entire material, the Government confirmed the impugned detention orders, vide orders of the even date, dated 06.09.2022. Therefore, the detaining authority was legally justified in passing the impugned

detention orders. Preventive detention is not to punish a person for his/her illegal activities, but to prevent him from doing so. An order of preventive detention may be made with or without prosecution and in anticipation or after discharge or even acquittal. Pendency of prosecution is not a bar to pass an order of detention and an order of preventive detention is also not a bar to the prosecution. All the mandatory provisions and the safeguards envisaged under the law were strictly followed, while passing the impugned detention orders and hence, the impugned detention orders do not suffer from illegality or impropriety and ultimately, prayed to dismiss the Writ Petitions. In support of his contentions, learned Special Government Pleader had relied on the decision of the Hon'ble Apex Court in **Abdul Sathar Ibrahim Manik Vs. Union of India and others**[3].

7. In view of the submissions made by both sides, the points that arise for determination in these Writ Petitions are as follows:

1. ***Whether the detenus can be termed as 'goondas' as defined in clause (g) of Section 2 of the Telangana Act 1 of 1986?***

[3] (1992) 1 SCC 1

2. Whether the impugned detention orders of the even date, dated 05.07.2022 passed by the respondent No.2 and the consequential conformation orders of the even date, dated 06.09.2022, passed by the Secretary to Government, General Administration (Spl. (Law & Order)) Department, Government of Telangana, are liable to be set aside?

POINT No.1:-

8. Learned Special Government Pleader contended that the unlawful activities of the *detenus* squarely fall under the definition of the word 'goonda' defined under clause (g) of Section 2 of the Telangana Act 1 of 1986. Clause (g) of Section 2 of the Telangana Act 1 of 1986, reads as follows:-

> "Goonda" means a person, who either by himself or as a member of or leader of a gang, habitually commits, or attempts to commit or abets the commission of offences punishable under Chapter XVI or Chapter XVIL or Chapter XXII of the Indian Penal Code (Central Act 45 of 1860).

The word "habitually" used in the above provision of law is significant. The meaning of the words "habit" and "habitual" as given in *Advanced Law Lexicon*, (3rd Edn.) as "*Habit*.—Settled tendency or practice, mental constitution. The word 'habit' implies a tendency or capacity resulting from the frequent repetition of the same acts. The expression "habitual" would mean "repeatedly" or "persistently" and implies a thread of continuity, stringing together with similar repeated acts. The

word “habitually” does not refer to the frequency of the occasions, but to the invariability of a practice and the habit has to be proved by totality of facts. It, therefore, follows that the complicity of a person in an isolated offence is neither evidence nor a material of any help to conclude that a particular person is a “dangerous person”, unless there is material suggesting his complicity in such cases, which lead to a reasonable conclusion that the person is a habitual criminal. A person is said to be a habitual criminal who, by force of habit or inward disposition, is accustomed to commit crimes. It implies commission of such crimes repeatedly or persistently and *prima facie* there should be continuity in the commission of those offences. In the instant case, the material placed on record reveals that the *detenus* have no criminal antecedents. They were detained basing on the aforementioned solitary crime registered against them. Further, nothing is placed on record to substantiate that after the release of *detenus* from judicial custody on statutory/mandatory bail on 26.04.2022 and till the date of passing of the impugned detention orders on 05.07.2022, the *detenus* involved in any criminal activity. Under these circumstances, the alleged criminal activities of the *detenus*, in any event, would not satisfy the word ‘goonda’, as defined under

clause (g) of Section 2 of the Telangana Act 1 of 1986. In **R.Kalavathi**'s case (1 supra) relied by the learned counsel for the petitioners, the Hon'ble Apex Court, while dealing with the word 'goonda' as contained in Section 2(f) of the Tamil Nadu Preventive Detention Act (Tamil Nadu Act 14 of 1982), held as follows:

> "In order to attract action in terms of Section 3(1) of the Act, the detenu must be one who is a "Goonda" as defined under Section 2(f) of the Act. Though in other preventive detention laws, even a single act which has the propensity of affecting even tempo of life and public tranquility would be sufficient for detention, being prejudicial to maintenance of public order. For the purpose of the Act the detenu has to be a "Goonda" as defined under Section 2(f) of the Act…"Goonda" means a person, who either by himself or as a member of or leader of a gang habitually commits, or attempts to commit or abets the commission of offence, punishable under Chapter XVI or Chapter XVII or Chapter XXII of the Indian Penal Code (Central Act XLV of 1860)… The expression "habitually" is very significant. A person is said to be a habitual criminal who by force of habit or inward disposition is accustomed to commit crimes. It implies commission of such crimes repeatedly or persistently and prima facie there should be continuity in the commission of those offences…The word 'habitually' does not refer to the frequency of the occasions but to the invariability of a practice and the habit has to be proved by totality of facts…From one single transaction though consisting of several acts, a habit cannot be attributed to a person."

Further, Section 2(f) of the Tamil Nadu Act 14 of 1982 is *pari materia* to Section 2(g) of the Telangana Act 1 of 1986. Thus, on this ground alone, the impugned orders of detention passed against the *detenus* herein are liable to be set aside.

Point No.2:-

9. In catena of cases, the Hon'ble Supreme Court had clearly opined that there is a vast difference between "law and order" and "public order". The offences committed against a particular individual fall within the ambit of "law and order" and when the public at large is adversely affected by the criminal activities of a person, such activities of that person are said to disturb the public order. Moreover, individual cases can be dealt with by the criminal justice system. Therefore, there is no need for the detaining authority to invoke the draconian preventive detention laws against an individual. Hence, according to the Hon'ble Apex Court, the detaining authority should be wary of invoking the immense power under the Act.

10. In **Ram Manohar Lohia v. State of Bihar**[4], the Hon'ble Supreme Court has, in fact, deprecated the invoking of the preventive law in order to tackle a law and order problem. It was observed that every breach of public peace and every violation of law may create a 'law and order' problem, but does not necessarily create a problem of 'public order'. The distinction has to be borne in mind in view of what has been stated in the grounds of detention.

[4] AIR 1966 SC 740

11. In **Kanu Biswas v. State of West Bengal**[5], the Hon'ble Apex Court, while discussing the meaning of word 'public order,' held that the question whether a man has only committed a breach of 'law and order' or has acted in a manner likely to cause a disturbance of the 'public order', is a question of degree and extent of the reach of the act upon the Society.

12. In a recent judgment in **Banka Sneha Sheela Vs. State of Telangana**[6], the Hon'ble Apex Court held as follows:

> 32. On the facts of this case, as has been pointed out by us, it is clear that at the highest, a possible apprehension of breach of law and order can be said to be made out if it is apprehended that the *Detenue*, if set free, will continue to cheat gullible persons. This may be a good ground to appeal against the bail orders granted and/or to cancel bail but certainly cannot provide the springboard to move under a preventive detention statute. We, therefore, quash the detention order on this ground…"

13. In another recent judgment in **Mallada K Sri Ram Vs. State of Telangana**[7], the Hon'ble Apex Court, while referring to its earlier decisions in **Banka Sneha Sheela**'s case (1 supra), **Sama Aruna Vs. State of Telangana**[8] and **Ram Manohar Lohia Vs. State of Bihar**[9] held as follows:

> "A mere apprehension of a breach of law and order is not sufficient to meet the standard of adversely affecting the "maintenance of public order....
> the personal liberty of an accused cannot be sacrificed on the altar of preventive detention merely because a person is implicated in a criminal

[5] (1972) 3 SCC 831
[6] (2021) 2 Supreme Court Cases 415
[7] 2022 SCC Online SC 424
[8] (2018) 12 Supreme Court Cases 150
[9] AIR 1966 SC 740

proceeding. The powers of preventive detention are exceptional and even draconian. Tracing their origin to the colonial era, they have been continued with strict constitutional safeguards against abuse. Article 22 of the Constitution was specifically inserted and extensively debated in the Constituent Assembly to ensure that the exceptional powers of preventive detention do not devolve into a draconian and arbitrary exercise of state authority. The case at hand is a clear example of non-application of mind to material circumstances having a bearing on the subjective satisfaction of the detaining authority. The two FIRs which were registered against the *detenu*e are capable of being dealt by the ordinary course of criminal law."

14. In the instant cases, the detaining authority, basing on a solitary crime indicated above, has passed the impugned detention orders of the even date, dated 05.07.2022. We shall present it in a tabular form the date of occurrence, the date of registration of FIR, the offence complained of and its nature, such as bailable/non-bailable or cognizable/non-cognizable.

Sl. No.	**Crime No.**	**Date of Occurrence**	**Date of registration of FIR**	**Offence**	**Nature**
1.	22/2022 of Jagtial Rural Police Station	20.01.2022	20.01.2022	Sections 120B, 147, 148, 302 r/w 149 of IPC	Sections 147 & 148: Cognizable/ Bailable Section 302: Cognizable/ Non-bailable

15. As seen from the material placed on record, the solitary crime relied upon by the detaining authority for preventively detaining the *detenus* relate to murder of three persons in broad day light at public place. The *detenus* were arrested in connection with the said crime on 23.01.2022 and remanded to

judicial custody. Subsequently, the *detenus* moved three bail petitions in the subject crime, which were dismissed by the Court concerned. Thereafter, the *detenus* moved another petition under Section 167(2)(a)(i) of Cr.P.C. in the solitary crime relied by the detaining authority and the same were allowed by the Court concerned, vide order, dated 26.04.2022 passed in Crl.M.P.No.173 of 2022, granting statutory/mandatory bail to the detenu, on certain conditions. So, it appears that the investigating officer had not completed investigation within the stipulated period. Therefore, the detenu was granted statutory/mandatory bail under Section 167(2)(a)(i) of Cr.P.C. It is a grave omission on the part of the investigating officer in not completing the investigation within the stipulated period. The very purpose of enacting the Section 167(2)(a)(i) of Cr.P.C., is to expedite the investigation, so that the valuable material evidence is not lost and can be collected and produced before the Court. For the laches on the part of the investigating officer, it is not appropriate to invoke draconian preventive detention laws against the *detenus*. The relief granted to the detenu under Section 167(2)(a)(i) of Cr.P.C. cannot be scuttled by invoking the preventive detention laws. Further, in the statutory/mandatory bail order, conditions were imposed to the

effect that the *detenus* shall execute personal surety bonds for Rs.10,000/- with two sureties for a like sum each to the satisfaction of the Court which granted conditional/statutory bail and that the *detenus* shall report before the SHO, Jagtial Rural Police Station, on every Sunday at any time between 10:00 AM and 12:00 Noon for a period of two months from the date of grant of statutory/mandatory bail or till filing of charge-sheet, whichever is earlier. Thus, by virtue of the conditions imposed in the statutory/mandatory bail orders, the *detenus* would be under the surveillance of the Court and the police. The *detenus* were granted statutory/mandatory bail under Section 167(2) of Cr.P.C., on 26.04.2022 and the impugned detention orders were passed on 05.07.2022. The *detenus* did not commit/attempt to commit any criminal act after being released from judicial custody. Under these circumstances, the apprehension of the detaining authority that since the *detenus* were granted bail by the Court concerned, there is imminent possibility of indulging in similar offences, which are prejudicial to the maintenance of public order and that the free movement of the *detenus* in the society would disturb the public order and the even tempo of public life and that their presence in the society is not in the interest and safety of the society, unless they are prevented

from doing so by an appropriate order or detention, is highly misplaced. Further, a mere apprehension of 'breach of law and order' is not sufficient to meet the standard of adversely affecting the 'maintenance of public order'. In the instant case, if it is apprehended that the *detenus*, if set free, would continue to indulge in similar offences, that may be a good ground to appeal against the bail orders granted and/or to cancel bail, but certainly cannot provide the springboard to move under the preventive detention statute. Moreover, criminal law was already set into motion against the *detenus*. Since the *detenus* have allegedly committed offence punishable under the Indian Penal Code, the said crime can be effectively dealt with under the provisions of the Penal Code and there was no need for the detaining authority to invoke draconian preventive detention laws. The subject cases do not fall within the ambit of the words "public order" or "disturbance of public order". Instead, they fall within the scope of the words "law and order". Hence, there was no need for the detaining authority to pass the impugned detention order. Under these circumstances, the subjective satisfaction recorded by the detaining authority in detaining the *detenus* can be said to be tainted with malice. The personal liberty of an accused cannot be sacrificed on the altar of

preventive detention, merely because a person is implicated in a criminal proceeding. Article 22 of the Constitution was specifically inserted and extensively debated in the Constituent Assembly to ensure that the exceptional powers of preventive detention do not devolve into a draconian and arbitrary exercise of state authority. The detaining authority has to be extremely careful while passing the detention order, since the detention *ipso facto* adversely affects the fundamental right of personal liberty enjoyed by the *detenus* under Article 21 of the Constitution of India. The detaining authority cannot be permitted to subvert, supplant, or substitute the punitive law of land, by ready resort to preventive detention.

16. Further, as held in **Vijay Narain Singh v. State of Bihar**[10], a single act or omission cannot be characterized as a habitual act because, the idea of 'habit' involves an element of persistence and a tendency to commit or repeat similar offences, which is patently not present in the instant case. In view of the facts and circumstances of the case, it is not a fit case to apply the preventive detention laws and detain the *detenus*, curtailing the liberty guaranteed under Article 21 of the Constitution of India.

[10] (1984) 3 SCC 14

17. We have gone through the decision of the Hon'ble Apex Court in **Abdul Sattar Ibrahim Manik**'s case (3 supra) relied by the learned Special Government Pleader. In Paragraph 12(5) of the said decision, the Hon'ble Apex Court held as follows:

> "When the detaining authority has merely referred to them in the narration of events and has not relied upon them, failure to supply bail application and order refusing bail will not cause any prejudice to the detenu in making an effective representation. Only when the detaining authority has not only referred to, but also relied upon them in arriving at the necessary satisfaction then failure to supply these documents, may, in certain cases, depending upon the facts and circumstances, amount to violation of Article 22(5) of the Constitution of India. Whether in a given case the detaining authority has casually or passingly referred to these documents or also relied upon them depends upon the facts and the grounds, which aspect can be examined by the Court."

Here, in the instant case, this Court is of the view that the alleged illegal activities of the *detenus* would not fall under the word 'Goonda' as defined under Section 2(g) of the Telangana Act 1 of 1986 and that the accusations against the *detenus* would not amount to "disturbance of public order" and are confined within the ambit and scope of words "law and order" and that they can be effectively dealt with under the provisions of the Penal Code and there was no need for the detaining authority to invoke draconian preventive detention laws. Further, the relief granted to the detenu under Section 167(2)(a)(i) of Cr.P.C. cannot be scuttled by invoking the

provisions of Sections 3(1) and 3(2) of the preventive detention laws. Therefore, the cited decision is distinguishable from the case on hand and the same is not helpful to the respondents/State.

18. Before parting, it is apposite to observe that personal liberty is of the widest amplitude, covering a variety of rights. Its deprivation shall only be in accordance with the procedure prescribed by law, conformable to the mandate of the Supreme Law, i.e., the Constitution, more particularly, Article 21 thereof. Of all fundamental rights granted to the citizens under the Constitution, the right of personal liberty is the most cherished. A person is not to be deprived of this right, except in accordance with the procedure laid down by law, even if he is a man of the most desperate character. Preventive detention is a serious invasion into the personal liberty of a person and as such, the safeguards provided to a person under the Constitution against the improper exercise of the power, must be jealously watched and enforced by the Court. Article 22(3)(b) of the Constitution of India, which permits preventive detention, is an exception to Article 21 of the Constitution. An exception cannot, ordinarily, nullify the full force of the main rule, i.e., right to liberty

guaranteed under Article 21 of the Constitution. An exception can apply only in rare cases. The law of preventive detention can only be justified by striking the right balance between individual liberty on the one hand and the needs of an orderly society on the other. The power of preventive detention is a frightful power with drastic consequences, affecting personal liberty, which is the most cherished and prized possession of man in a civilized society. The said power has to be exercised with the greatest care and caution, and it is the duty of the Courts to ensure that this power is not abused or misused. To prevent misuse of this potentially dangerous power, the law of preventive detention has to be strictly construed and meticulous compliance with the procedural safeguards, however technical, is mandatory and vital.

19. For the foregoing reasons, the impugned orders are legally unsustainable and are liable to be set aside.

20. In the result, the Writ Petitions are allowed. The impugned detention orders of the even date, dated 05.07.2022, passed by the respondent No.2-Collector and District Magistrate, Jagtial District, vide Rc.No.C1/724-1/2022, Rc.No.C1/724-5/2022, Rc.No.C1/724-3/2022, Rc.No.C1/724-2/2022 and

Rc.No.C1/724-4/2022 respectively, and the consequential confirmation orders of the even date, dated 06.09.2022, passed by the Secretary to Government, General Administration (Spl. (Law & Order)) Department, Government of Telangana, vide G.O.Rt.Nos.1702, 1706, 1704, 1703 and 1705 respectively, are set aside. The respondents are directed to set the *detenus*, namely, Kandela Srinivas, S/o. Gangaiah; Vanam Shekhar, S/o. Nagaiah; Vanam @ Kedari Durgaiah @ Chinna Durgaiah, S/o.Pochaiah; Vanam Chinna Gangaiah, S/o. Pochaiahl; and Vanam Durgaiah @ Durga Prasad, S/o. Pochaiah, at liberty forthwith, if they are no longer required in any case.

Miscellaneous Petitions, if any, pending in these writ petitions, shall stand closed. There shall be no order as to costs.

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Dr. SHAMEEM AKTHER, J

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E.V.VENUGOPAL , J

11th October, 2022

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