

**IN THE HIGH COURT FOR THE STATE OF TELANGANA:
HYDERABAD**

* * *

WRIT PETITION No.9406 of 2024

Between:

Bandaru Govardhan Reddy.

Petitioner

VERSUS

Government of India,
rep. by its Joint Secretary and Others.

Respondents

ORDER PRONOUNCED ON: 14.06.2024

**THE HON'BLE SRI JUSTICE P.SAM KOSHY
AND
THE HON'BLE SRI JUSTICE SAMBASIVARAO NAIDU**

1. Whether Reporters of Local newspapers
may be allowed to see the Judgments? : Yes
2. Whether the copies of judgment may be
marked to Law Reporters/Journals? : Yes
3. Whether His Lordship wishes to
see the fair copy of the Judgment? : **Yes**

P.SAM KOSHY, J

*** THE HON'BLE SRI JUSTICE P.SAM KOSHY**
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THE HON'BLE SRI JUSTICE SAMBASIVARAO NAIDU
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! Counsel for Petitioner(s) : Dr. Challa Srinivas Reddy

^Counsel for the respondent(s) : Mr.V.T. Kalyan

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? Cases referred

- 1) (2024) SSC OnLine Del 416
- 2) (2021) 9 SCC 415
- 3) Writ Petition No.24082 of 2023 dated 12.10.2023
- 4) AIR 1966 SC 740
- 5) Writ Petition No.10982 of 2023 dated 11.07.2023
- 6) WP (Crl) No.645 of 2019 and batch dated 27.10.2020
- 7) 1975 SCR (1) 778

THE HON'BLE SRI JUSTICE P.SAM KOSHY
AND
THE HON'BLE SRI JUSTICE SAMBASIVARAO NAIDU
WRIT PETITION No.9406 of 2024

ORDER: (per the Hon'ble Sri Justice **P.SAM KOSHY**)

Heard Dr. Challa Srinivas Reddy, learned counsel for the petitioner and Mr.V.T. Kalyan, learned counsel for the respondents.

2. The present writ petition has been filed seeking for quashment of the order of preventive detention dated 29.02.2024 passed by respondent No.1 under Section 3(1) of the Narcotic Drugs and Psychotropic Substances Act, 1988 (in short, the 'Act of 1988').

3. *Vide* the said impugned order, the respondent No.1 had under Section 3(1) of the aforesaid Act of 1988 passed the order of preventive detention of the detenu with a view to prevent him from engaging in Illicit Traffic of Narcotic Drugs and Psychotropic Substances. It is this order dated 29.02.2024 which is assailed in the present writ petition.

4. Learned counsel for the petitioner submits that it is a case where in a span of eight (08) years' time, the detenu has been

charged for the offences under the Act of 1988 on four (04) occasions. Two (02) in the year 2016 and one (01) in the year 2021 and the last being in the year 2023. It was the contention of the learned counsel for the petitioner that, in all four (04) cases, the detenu has been enlarged on bail. That of the four (04) cases, only one has still date been concluded and the other three (03) cases are yet to be finalized. Therefore, it was improper and not justified on the part of respondent No.1 in passing the impugned order of preventive detention under the Act of 1988 against the detenu.

5. It was the further contention of the learned counsel for the petitioner that since the detenu has got bail in all the four (04) cases registered against him itself goes to show that, *prima facie*, the case of the prosecution is too weak and when no case was made out, the question of detenu being subjected to preventive detention for these cases is totally unwarranted and arbitrary. It was further contended that bare allegations that are leveled in the impugned order itself makes it explicit that the detenu has not been directly implicated in the instant cases, but has been implicated at the behest of other persons, which all the more weakens the case of the respondents

and for which reason also the order of preventive detention is not justified.

6. It was also the contention of the learned counsel for the petitioner that the fact that the detenu is implicated in four (04) cases in a gap of eight (08) years itself is an indication of the detenu not being a habitual offender or the offences being committed at a close interval period. Likewise, it was also the contention that the authorities concerned had wrongly reached to the conclusion of the activities of the detenu to be prejudicial to the society and that his acts would be detrimental to the society at large.

7. Learned counsel for the petitioner in support of his contentions relied upon a recent decision of the Delhi High Court in the case of **Taimoor khan vs. Union of India & Anr**¹ and also the judgment of the Hon'ble Supreme Court in the case of **Banka Sneha Sheela vs. State of Telangana & Ors**².

8. *Per contra*, the learned counsel for the respondents referring to the impugned order contended that plain reading of the impugned

¹ (2024) SSC OnLine Del 416

² (2021) 9 SCC 415

order itself is self-explanatory and would clearly give a picture of the track record of the detenu. According to the learned counsel for the respondents, it is a case where the detenu has been repeatedly found to be committing offences under the provisions of the Narcotic Drugs and Psychotropic Substances Act of a serious nature and each time the petitioner has been found in possession of huge quantities of Alprazolam, Ketamine Hydrochloride, so also Mephedrone. According to the learned counsel for the respondents, all these aforementioned substances are products which are otherwise banned products under the provisions of the Act of 1988 and that the detenu was found to be manufacturing these banned products and was selling it in the open market through his agents and partners in the business.

9. It was the further contention of the learned counsel for the respondents that the very provision of the Act of 1988 has been enacted to curtail the menace of Illicit Traffic in Narcotic Drugs and Psychotropic Substances. The reason for enactment of the said Act of 1988 was taking into consideration the serious threat to the health and welfare of the people and to curb the persons engaged in the said acts of illicit trafficking. Further, referring to the provisions of law, learned counsel for the respondents drew the attention of this

Court to the contents of Section 3(1) of the said Act of 1988 which envisages the satisfaction of the notified authority to assess whether it was necessary to do so. And of passing the detention order in order to prevent the detenu/detenu from engaging in Illicit Trafficking in Narcotic Drugs and Psychotropic Substances.

10. According to the learned counsel for the respondents, once when it is a case of subjective satisfaction of the authority concerned, all that which is required to be taken note of is, whether there is sufficient material available with the authority concerned while passing the impugned order or not. Further, it was also contended that if there are sufficient materials available, the scope of entertaining the writ petition reduces substantially. In the light of the said provision of law and also taking into consideration the seriousness of the offences under which the petitioner was charged, the quantity of goods that were seized from the custody of the detenu is sufficient to show that the authority concerned i.e. respondent No.1 was justified while passing the impugned order and thus prayed for rejection of the writ petition.

11. Having heard the contentions put forth on either side and on perusal of records, admittedly the detenu has been charged for carrying huge quantity of Alprazolam, Ketamine Hydrochloride, so also Mephedrone. The detenu was found to be involved in the said racket since long, as would be evident from the four (04) different cases that were registered against him at four (04) different durations. In a span of just around eight (08) years, the detenu has been subjected to prosecution under the Act of 1988 on four (04) occasions and in all the four (04) occasions, the detenu was found to be in possession of huge quantity much more than the commercial quantity.

12. It would be relevant at this juncture, to take note, regarding the petitioner being in possession of Narcotic Drugs and Psychotropic Substances at different durations of time, which are as under:

- a.** In July, 2016, the detenu was found to be in possession of 170.91 kgs of Alprazolam and 13.8 kgs of Ketamine Hydrochloride during the search conducted by the officers of DRI, Bangalore Zonal Unit (BZU).

- b.** In December, 2016, the detenu was found to be in possession of 132 kgs of Alprazolam during the search conducted by the officers of DRI, Hyderabad Zonal Unit (HZU).
 - c.** In October, 2021, the detenu was found to be in possession of 4.926 kgs of Mephedrone and 400 gms of Alprazolam during the proceedings drawn by the Prohibition and Excise Department, Balanagar, Hyderabad.
 - d.** The last registered being in May, 2023, the detenu was found in possession of 31.42 kgs of Alprazolam in the course of search conducted at the makeshift laboratory where the detenu was manufacturing Alprazolam. The said seizure was at the behest of the officers of DRI, Hyderabad Zonal Unit (HZU).
- 13.** Of the four (04) cases under the Act of 1988, one (01) case has already been concluded and the detenu stood convicted in the said case, though an appeal has been preferred and the sentence stands suspended. The other three (03) proceedings are still pending consideration before the concerned Courts.

14. In the given factual backdrop, it needs appreciation of the objects and reasons for which the Act of 1988 was enacted by the Government of India. The Government of India found that Illicit Traffic in Narcotic Drugs and Psychotropic Substances posing a serious threat to the health and welfare of the general public at large. In addition, it also had an adverse bearing on the national economy taking into consideration the manner in which the said activities were organized and carried on and that certain areas in the process getting highly vulnerable to illicit trafficking of such substances. In order to ensure effective prevention of such activities, the Government thought of enacting statutes which would be preventive in nature and it was in the process that the said Act of 1988 was brought into force.

15. Keeping in view the aforesaid object, it would also be relevant at this juncture to take note of the provisions of Section 3(1) of the Act of 1988, which again for ready reference is reproduced herein under:

“3. Power to make orders detaining certain persons.----
The Central Government or a State Government, or any officer of the Central Government, not below the rank of a Joint Secretary to that Government, specially empowered for the purposes of this section by that Government, or any

officer of a State Government, not below the rank of a Secretary to that Government, specially empowered for the purposes of this section by that Government, may, if satisfied, with respect to any person (including a foreigner) that, with a view to preventing him from engaging in illicit traffic in narcotic drugs and psychotropic substances, it is necessary so to do, make an order directing that such person be detained.”

16. The plain reading of the aforesaid provision would itself clearly indicate that, all that is required by the authority concerned is its subjective satisfaction with respect of the track record of a person who deals with substances which poses a serious threat to the health and welfare of the people at large, and also such illicit trafficking having deleterious effect on the national economy and in the opinion of the said Officer, it is necessary for issuance of preventive detention ensuring prevention of the said person engaging in the illicit trafficking of Narcotic Drugs and Psychotropic Substances.

17. Recently, there was a similar matter under the same statute which came up for consideration before another Division Bench of this High Court in the case of **Sri Godishala Santhosh vs. The State of Telangana and Others**³ which stood dismissed on

³ Writ Petition No.24082 of 2023 dated 12.10.2023

12.10.2023. The said case was where the detenu was charged for a solitary crime under Narcotic Drugs and Psychotropic Substances by the Directorate of Revenue Intelligence. The substance which was found to be in possession of the detenu was one of the substances which in the instant writ petition was found to be in possession, that was Mephedrone. In the said case, the quantity seized from the possession of the detenu was 24.08 kgs of Mephedrone in powder form and 87.16kgs of Mephedrone in paste form. The Division Bench in the course of deciding the Habeas Corpus Petition in paragraph No.24 has held as under:

“24. ‘Mephedrone’, a Psychotropic Substance, can cause various unintended side effects including dilated pupils, poor concentration, teeth grinding, problems focusing visually, poor short-term memory, hallucinations, delusions and erratic behavior. Injecting the same is dangerous and can lead to overdose or infections, and it can increase chances of heart attack or stroke. Therefore, the said substance was included under the NDPS Act, 1985. The commercial quantity for the said drug is fixed at 50 grams, whereas in the present case, the DRI Officials have seized huge quantity of 136.275 kgs. of mephedrone. Considering the aforesaid past history of the detenu and also the seriousness and graveness of the offence committed by the detenu in the present solitary crime under NDPS Act, 1985, certainly, the acts of the detenu in commission of the aforesaid offence disturb the ‘public order’ and the same would pose serious threat to the health and welfare of the citizens of the Country. The bail applications filed by the detenu were dismissed by the Designated Court considering the gravity of the offence committed by him. The DRI Officials seized huge quantity of 136.275 kgs. of

mephedrone. The detaining authority having considered all the said aspects arrived at the subjective satisfaction and passed the impugned detention order. Therefore, viewed from any angle, we are of the considered view that there is no error in the impugned detention order dated 19.07.2023 passed by respondent No.2. Thus, the writ petition fails and the same is liable to be dismissed.”

18. Dismissing the said Writ Petition, the Division Bench had relied upon a decision of the Hon’ble Supreme Court in the case of **Ram Manohar Lohia vs. State of Bihar**⁴ wherein the Hon’ble Supreme Court has held as under:

“...Does the expression “public order” take in every kind of disorder or only some? The answer to this serves to distinguish “public order” from “law and order” because the latter undoubtedly takes in all of them. **Public order if disturbed, must lead to public disorder. Every breach of the peace does not lead to public disorder. When two drunkards quarrel and fight there is disorder but not public disorder. They can be dealt with under the powers to maintain law and order but cannot be detained on the ground that they were disturbing public order. Suppose that the two fighters were of rival communities and one of them tried to raise communal passions. The problem is still one of law and order but it raises the apprehension of public disorder. The contravention of law always affects order but before it can be said to affect public order, it must affect the community or the public at large.** A mere disturbance of law and order leading to disorder is thus not necessarily sufficient for action under the Defence of India Act but disturbances which subvert the public order are. A District Magistrate is entitled to take action under Rule 30(1)(b) to

⁴ AIR 1966 SC 740

prevent subversion of public order but not in aid of maintenance of law and order under ordinary circumstances. It will thus appear that just as "public order" in the rulings of this Court (earlier cited) was said to comprehend disorders of less gravity than those affecting "security of State", "law and order" also comprehends disorders of less gravity than those affecting public order". **One has to imagine three concentric circles. Law and order represents the largest circle within which is the next circle representing public order and the smallest circle represents security of State. It is then easy to see that an act may affect law and order but not public order just as an act may affect public order but not security of the State.**"

19. The Division Bench of this High Court further in **Smt. Bodusu Priyanka vs. The State of Telangana and Others**⁵ in paragraph Nos.15, 16 and 17 has held as under:

"15. As held by the Apex Court, personal liberty of the citizen which the law so sedulously and carefully protects can also be taken away by the procedure established by law, when it is used to jeopardize public good and not merely private interests. As such, it cannot be said that preventive detention issued as an instrument to keep a person in perpetual custody, without trial. Order of detention is clearly a preventive measure and devised to afford protection to the society. When the preventive detention is aimed to protect the safety and security of the nation, balance has to be struck between liberty of an individual and the needs of the society.

16. True distinction between 'public order' and 'law and order' was one of degree and extent of the reach of the act in question upon society. Acts similar in nature, but committed in different contexts and circumstances might cause different reactions. In one case, it might affect the

⁵ Writ Petition No.10982 of 2023 dated 11.07.2023

problem of the breach of law and order and in another the breach of public order. The power of detention having been permitted to the State under the Constitution as an exceptional power, its exercise had to be scrutinized with extreme care and could not be used as a convenient substitute for the normal processes of the criminal law of the Country.

17. It is also apt to refer that the essential concept of preventive detention is not to punish him for something he has done, but to prevent him from doing it. The basis of detention is the satisfaction of the executive for a reasonable probability of the likelihood of the detenu acting in a manner similar to his past acts and preventing him by detention from doing the same. Conviction in criminal case is for an act already done which can only be possible by a trial and legal evidence. There is no parallel between prosecution in the Court of law and the detention order under the Act. One is punitive action and the other is preventive act. In one case, a person is punished to prove his guilt and the standard is proof beyond reasonable doubt, whereas in preventive detention, a man is prevented from doing something which it is necessary for reasons mentioned in the Act No.1 of 1986. The power of preventive detention is qualitatively different from punitive detention. The power of preventive detention is a precautionary power exercised in reasonable anticipation. It may or may not relate to an offence. It does not overlap with prosecution. Even if it relies on certain facts for which prosecution may be launched or may have been launched. An order of preventive detention may be made before or during prosecution. An order of preventive detention may be made with or without prosecution and in anticipation or after discharge or even after acquittal. The pendency of prosecution is no bar to an order of preventive detention and an order of preventive detention is also not a bar to the prosecution. The said principal was also laid down by the Apex Court in a catena of decisions.”

20. A learned Single Judge of the High Court of Jammu and Kashmir at Srinagar, while deciding batch of Writ Petitions, in the

case of **Javid Ahmad Mir and Others vs. Union Territory of J&K and Others**⁶ held at paragraph Nos.5.2 to 5.7 as under:

“5.2. The essential concept of preventive detention is that detention of a person is not to punish him for something he has done, but to prevent him from doing it. The basis of detention is satisfaction of the Executive of a reasonable probability of likelihood of detenu acting in a manner similar to his past acts and preventing him by detention from doing the same. It is pertinent to mention here that preventive detention means detention of a person without trial in such circumstances that the evidence in possession of the authority is not sufficient to make a legal charge or to secure conviction of detenu by legal proof, but may still be sufficient to justify his detention. [**Sasthi Chowdhary v. State of W.B. (1972) 3 SCC 826**].”

5.3. While the object of punitive detention is to punish a person for what he has done, the object of preventive detention is not to punish an individual for any wrong done by him, but curtailing his liberty with a view to preventing him from committing certain injurious activities in future. Whereas punitive incarceration is after trial on the allegations made against a person, preventive detention is without trial into the allegations made against him. [**Haradhan Saha v. State of W.B. (1975) 3 SCC 198**].

5.4. Preventive justice requires an action to be taken to prevent apprehended objectionable activities. The compulsions of primordial need to maintain order in society, without which enjoyment of all rights, including the right of personal liberty would lose all their meaning, are the true justifications for the laws of preventive detention. This justification has been described as a "jurisdiction of suspicion" and the compulsions to preserve the values of freedom of a democratic society and social order, sometimes merit the curtailment of individual liberty. [**State of**

⁶ WP (Crl) No.645 of 2019 and batch dated 27.10.2020

Maharashtra v. Bhaurao Punjabrao Gawande (2008) 3 SCC 613]

5.4. To lose our Country by a scrupulous adherence to the written law, said Thomas Jefferson, would be to lose the law, absurdly sacrificing the end to the means. [***Union of India v. Yumnam Anand M., (2007) 10 SCC 190; R. v. Holliday, 1917 AC 260; Ayya v. State of U.P. (1989) 1 SCC 374]***]

5.5. Long back, an eminent thinker and author, Sophocles, had to say: "Law can never be enforced unless fear supports them." Though this statement was made centuries back, yet it has its relevance, in a way, with enormous vigour, in today's society as well. Every right-thinking citizen is duty bound to show esteem to law for having an orderly, civilized and peaceful society. It has to be kept in mind that law is antagonistic to any type of disarray. It is completely xenophobic of anarchy. If anyone breaks law, he has to face the wrath of law, contingent on the concept of proportionality that the law recognizes. It can never be forgotten that the purpose of criminal law legislated by competent legislatures, subject to judicial scrutiny within constitutionally established parameters, is to protect collective interest and save every individual that forms a constituent of the collective from unwarranted hazards. [***Vide: State of Punjab v. Saurabh Bakshi, (2015) 5 SCC 182]***].

5.6. It is worthwhile to mention here that it is sometimes said in a conceited and uncivilised manner that law cannot bind individual actions that are perceived as flaws by large body of people, but truth is and has to be that when law withstands test of Constitutional scrutiny in a democracy, individual notions are to be ignored. At times certain activities, wrongdoings, assume more accent and gravity depending upon the nature and impact of such deleterious activities on the society. It is neither to be guided by a sense of sentimentality nor to be governed by prejudices.

5.7. Acts or activities of an individual or a group of individuals, prejudicial to the security of the State or maintenance of peace and public order or poses threat to

the health and welfare of people or have deleterious effect on the national economy and have magnitude of across-the-board disfigurement of societies. No Court should tune out such activities, being won over by passion of mercy. It is an obligation of the Court to constantly remind itself the right of society is never maltreated or marginalised by doings, an individual or set of individuals propagate and carry out.”

21. In the light of the aforesaid judicial precedents and observations made by the different High Courts including couple of decisions of this High Court itself, if we test into the reasons and objects for enactment of the said Act of 1988, it is apparently reflected that the said Act i.e. Narcotic Drugs and Psychotropic Substances Act, 1988 was enacted with a clear indication of the said law being a law which intends to prevent recurrence of illicit trafficking in Narcotic Drugs and Psychotropic Substances. The law does not indicate as to whether it applies to only habitual offenders or against those persons against whom there are a large number of cases under the Narcotic Drugs and Psychotropic Substances registered. The indication, as has been discussed in the preceding paragraphs in Section 3(1) of the Act of 1988 is that there must be sufficient materials for the authorities to have or to reach their subjective satisfaction that the particular person needs to be put under preventive detention so as to ensure that illicit trafficking is

curbed/prevented or restricted. The indication also reflects that even a solitary act is sufficient for the authority concerned to form an opinion that it is a fit case for detention of the concerned person as a precautionary measure.

22. In other words, the powers so conferred under this Act of preventive detention is a power supposed to be used as a precautionary measure where there is reasonable anticipation of the particular person may act in a manner which is otherwise prejudicial to the interest of the society and also which is detrimental to the health and welfare of the public at large. The order of preventive detention under the preventive Act like in the present case, the Act of 1988 is entirely different from punitive law under which the detenu/detenu may have been prosecuted.

23. In the instant case, the detenu stands prosecuted in four (04) different cases of huge quantities of Narcotic Drugs and Psychotropic Substances being in his possession. The said punitive law leads to the prosecution and decides the punishment which the detenu would be imposed with, if the prosecution is able to prove the charges for the offences for which the detenu is charged. Whereas,

the preventive detention under the preventive law is to ensure effective recurrence of such activities in the society which has a serious threat to the health and welfare of the public at large and it also ensures that the said detenu is prevented from being exposed to the criminal activities which he is otherwise regularly involved in.

24. The Hon'ble Supreme Court in the case of **Haradhan Saha & Another vs. The State of West Bengal & Ors**⁷ dealing with the aspect of preventive detention has held as under:

“32. The power of preventive detention is qualitatively different from punitive detention. The power of preventive detention is a precautionary power exercised in reasonable anticipation. It may or may not relate to an offence. It is not a parallel proceeding. It does not overlap with prosecution even if it relies on certain facts for which prosecution may be launched or may have been launched. An order of preventive detention, may be made before or during prosecution. An order of preventive detention may be made with or without prosecution and in anticipation or after discharge or even acquittal. The pendency of prosecution is no bar to an order of preventive detention. An order of preventive detention is also not a bar to prosecution.

33. Article 14 is inapplicable because preventive detention and prosecution are not synonymous. The purposes are different. The authorities are different. The nature of proceedings is different. In a prosecution an accused is sought to be punished for a past act. In preventive detention, the past act is merely the material for inference

⁷ 1975 SCR (1) 778

about the future course of probable conduct on the part of the detenu.

34. The recent decisions of this Court on this subject are many. The decisions in *Borjahan Gorey v. The State of West Bengal* reported in A.I.R. 1972 S.C. 2256, *Ashim Kumar Ray v. State of West Bengal* reported in A.I.R. 1972 S.C. 2561., *Abdul Aziz v. The Distt. Magistrate, Burdwan & Ors.* reported in A.I.R. 1973 S.C. 770 and *Debu Mahto v. The State of West Bengal* reported in A.I.R. 1974 S C. 816 correctly lay down the principles to be followed as to whether a detention order is valid or not. The, decision in *Biram Chand v. State of Uttar Pradesh & Ors.* reported in A.I.R. 1974 S.C. 1161 Which is a Division Bench decision of two learned Judges is contrary to the other Bench decisions consisting in each case of three learned Judges. The principles which can be broadly stated are these. First merely because a detenu is liable to be tried in a criminal court for the commission of a criminal offence or to be proceeded against for preventing him from committing offences dealt with in Chapter VIII of the Code of Criminal Procedure would not by itself debar the Government from taking action for his detention under the Act. Second, the fact that the Police arrests a person and later on enlarges him on bail and initiates steps to prosecute him under the Code of Criminal Procedure and even lodges a first information report may be no bar against the District Magistrate, issuing an order under the preventive detention. Third, where the concerned person is actually in jail custody at the time when an order of detention is passed against him and is not likely to be released for a fair length of time, it may be possible to contend that there could be no satisfaction on the part of the detaining authority as to the likelihood of such a person indulging in activities which would jeopardise the security of the State or the public order. Fourth, the mere circumstance that a detention order is passed during the pendency of the prosecution will not violate the order. Fifth, the order of detention is a precautionary measure. It is based on a reasonable prognosis of the future behaviour of a person based on his past conduct in the light of the surrounding circumstances.”

25. Coming to the facts of the present case, keeping in view the statutory requirement under Section 3(1) of the Act of 1988, what is apparently visible from the factual matrix narrated in the writ petition itself, is that, the detenu stands prosecuted in four (04) different cases under the Act of 1988 and all four (04) cases deal with large quantities of Narcotic Drugs and Psychotropic Substances. In one of the cases, out of four (04), the trial being concluded has resulted in conviction of the detenu and moreover, in all the four (04) cases, the quantity seized is a huge quantity. The afore given details in the factual backdrop itself is sufficient for any authority to have or draw a subjective satisfaction as is envisaged under Section 3(1) of the Act of 1988 that it is a fit case for imposition of preventive detention against the detenu herein.

26. In the aforesaid factual backdrop, there is hardly any scope of judicial review left for this Court under Article 226 of the Constitution of India, particularly, when the nature of Writ should be exercised is the Writ of the nature of Habeas Corpus. Thus, we are of the considered opinion that no strong case has been made out on the part of the petitioner calling for an interference to the impugned order of preventive detention.

27. The present writ petition thus fails and is accordingly dismissed. No costs.

28. As a sequel, miscellaneous petitions pending if any, shall stand closed.

P.SAM KOSHY, J

SAMBASIVARAO NAIDU, J

Date: 14.06.2024

Note: LR Copy be marked.

B/o.GSD