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IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 26th DAY OF JUNE, 2025

PRESENT

THE HON'BLE MRS. JUSTICE ANU SIVARAMAN

AND

THE HON'BLE DR. JUSTICE K.MANMADHA RAO

WRIT PETITION (HABEAS CORPUS) No.37 OF 2025

BETWEEN:

SMT. ROOPA
W/O NAGARAJ,
AGED ABOUT 44 YEARS,
R/AT NO.6, 1ST MAIN, 3RD CROSS,
TIMBER LAYOUT, MYSORE ROAD,
BANGALORE-560 026.

...PETITIONER

(BY SRI. V.LAKSHMI KANTHA RAO, ADVOCATE)

AND:

1. STATE OF KARNATAKA BY SENIOR SECRETARY, DEPARTMENT OF LAW AND ORDER, VIDHANA SOUDHA, BANGALORE-01.

2. THE COMMISSIONER OF POLICE BANGALORE CITY, INFANTRY ROAD, BANGALORE-01.

3. ADDITIONAL COMMISSIONER OF POLICE BANGALORE CITY,

INFANTRY ROAD,
BANGALORE-01.

4. ASST. COMMISSIONER OF POLICE
CCB, OCW [W], NO.95,
BTS BUS DEPORTMENT,
KSRTC COLONY, WILLSON GARDEN,
BANGALORE-560027.

5. JAIL SUPERINTENDENT,
RAMANAGARA DISTRICT
PRISON, RAMANAGARA -562159.

…RESPONDENTS

(BY SRI. THEJAS P., HCGP)

THIS WP(HC) IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF WRIT OF HABEAS CORPUS, PRAYING TO QUASH THE ORDER OF DETENTION OF THE DETENUE BHARATH KUMAR UNDER THE ORDER'S PASSED BY SECOND RESPONDENT VIDE ORDER NO.04/CRM[4]/DTN/2025 DATED 16-01-2025 AT ANNEXURE 'A' WHICH IS CONFIRMED BY RESPONDENT NO.1 VIDE ORDER HD26SST2025 DATED 22-01-2025 AT ANNEXURE 'D' AND VIDE ORDER HD26SST2025 DATED 13-02-2025 AT ANNEXURE 'F' AS ILLEGAL AND VOID AB-INITIO AND PASS SUCH OTHER ORDER/ORDERS AS THIS COURT DEEMED FIT AND PROPER UNDER THE CIRCUMSTANCES OF THE CASE, DIRECITNG THE RELEASE OF THE DETENUE FROM CUSTODY AND SET HIM AT LIBERTY.

THIS PETITION HAVING BEEN HEARD AND RESERVED FOR JUDGMENT ON 11.06.2025 AND COMING ON FOR PRONOUNCEMENT OF JUDGMENT, THIS DAY, **DR.K.MANMADHA RAO, J.,** PRONOUNCED THE FOLLOWING:

CORAM: HON'BLE MRS. JUSTICE ANU SIVARAMAN
and
HON'BLE DR. JUSTICE K.MANMADHA RAO

CAV JUDGMENT

(PER: HON'BLE DR. JUSTICE K.MANMADHA RAO)

This Writ Petition (Habeas Corpus) is filed by mother of the detenue by name Bharat Kumar N @ Gudde Bharat @ B K S/o Nagaraj aged about 25 years (for short 'detenue') challenging the order of detention passed by the respondents and also prayed to quash them. Petitioner has prayed for following reliefs:

a. *To quash the impugned detention order bearing No. 04/CRM\[4]/DTN/2025 passed by respondent No.2 dated 16.01.2025 vide Annexure A.*

b. *To quash the order of confirmation bearing HD26SST2025 passed by respondent No.1 dated 22.01.2025 vide Annexure- D and order bearing HD26SST2025 dated 13.02.2025 vide Annexure-F.*

2. Brief facts of the case are that the detenue being a habitual offender was involved in serious criminal cases such as attempted murder, extortion, assault, kidnapping, threat to life, racketeering, rape, child sexual abuse

(POCSO), sale of drugs since 2016 by forming a group of criminal associates and engaging in illegal activities, violating bail conditions after being released on bail. Being a nuisance to law and order, despite being prosecuted in the criminal cases in which he was involved, he continued to engage in illegal activities, made a habit of committing criminal acts, and continued to commit criminal acts repeatedly. The order of arrest issued on 16.01.2025 is sought to be confirmed under Section 3(3) of the said Act. 02 cases in Hanumantanagar police station of Bangalore city, 02 cases in Kempegowdanagar police station, 01 case in Basavanagudi police station, V.V. Puram police station, 01 case in Basaveshwarnagar police station, 01 case in Byatarayanapura police station and 01 case in Maddur Police station of Mandya district, in total 09 cases have been registered.

(i) The Hanumantha Nagar Police registered a case in Crime No: 237/2016 for the offences punishable under sections 143, 147, 324, 326, 504 read with 149 of IPC which came to be acquitted.

(ii) The Maddur police registered a case in Crime No: 165/2018 the offences punishable under section 397 and Investigation is completed, Charge Sheet is filed and same is pending before the Addl Civil Judge & JMFC At Maddur in C.C. No:2639/2020.

(iii) The Kempegowda Nagar Police registered a case in Crime No: 02/2021 for the offences punishable under sections 307 R/W 34 of IPC and Investigation is completed, Charge Sheet is filed and same is pending before the City Civil and Sessions Judge at Bangalore [CCH-61] in S.C. No: 1465/2024.

(iv) The Basavanagudi Police registered a case in Crime No: 157/2021 for the offences punishable under sections 307 120[B] R/W 149 of IPC & 25-1[B] [B] Arms Act and Investigation is completed, Charge Sheet is filed and same is pending before the II ACMM at Bangalore in C.C. No: 22435/2021.

(v) The Kempegowda Nagar Police registered a case in Crime No: 139/2021 for the offences punishable under section 229[A] of IPC and Investigation is completed, Charge Sheet is filed and same is pending before the 24 ACMM at Bangalore in C.C. No: 33705/2022, which came to be closed after imposing fine of Rs 2,000/-to the detenu.

(vi) The V.V. Puram Nagar Police registered a case in Crime No: 04/2022 for the offences punishable under section 20 NDPS Act & 25[1] [B] Arms Act and Investigation is completed, Charge Sheet is filed and same is pending before the City Civil and Sessions Judge at Bangalore [CCH-33] in Spl C.C. No: 1774/2023.

(vii) The Basaveshwara Nagar Police registered a case in Crime No: 248/2023 for the offences punishable under section 4, 6, 8 PASCO Act & 376 IPC and Investigation is completed, Charge Sheet is filed and same is pending before the City Civil and Sessions Judge Fast Track court-5 at Bangalore [FTC-5] in Spl C.C. No: 2147/2023.

(viii) The Byatarayanapura Police registered case in Crime No: 229/2024 for the offence punishable under sections 109, 140[2],

308[5], 126[2] 115[2] 118[1], 351[3], 3[5] BNS Act 2023, which is under investigation.

(ix) The Hanumantha Nagar Police registered case in Crime No: 242/2024 for the offence punishable under sections 189[1], 189[4][C], 191[3], 194 BNS Act 2023 4 Arms Act which is under investigation.

3. Thus, in the cases registered against the detenue, the rowdy list was opened and monitored and despite being seized and remanded by the court, without bringing about any change in his life style, the detenue being in violation of the bail conditions and opportunities given to him to lead a better life: continuously failing to attend valid court hearings, engaging in criminal activities and continuing to commit criminal acts tending to destroy the welfare of the society, being harmful to public order. According to the Hooligan Act, it appears to be essential to maintain public order and security in the metropolitan city of Bangalore and it is reasonable to keep the said detenue in preventive custody.

4. The respondents found that presence of the detenue was causing disturbances to public order and tranquility and he was becoming menace to the society.

Therefore, the detenue was detained based on the detention order passed by the respondent No.2-Commissioner of Police, Bengaluru vide order dated 16.01.2025. Thereafter, the detenue had submitted a representation dated 26.01.2025 to the Government for reviewing the detention order. The Government on considering the representation passed order dated 28.01.2025 rejecting the said representation.

5. The Government after obtaining the opinion from the Advisory Board and following the procedures under the Goondas Act, confirmed the order of detention, by its order dated 22.01.2025 (Annexure - D). The Government by order dated and vide order dated 13.02.2025 ordered to detain him for a period of one year from 13.02.2025 (Annexure-F) under the Goondas Act.

6. We have heard the arguments of learned counsel appearing for the petitioner and learned HCGP for respondents.

7. Learned counsel appearing for the petitioner would submit that the orders passed by the respondent No.2 as well as confirmed by the Government are illegal

and they are contrary to the provisions of the Goondas Act. In terms of the Article 22(5) of the Constitution of India and Section 8 of the Goondas Act, it is mandatory to furnish the detenue not only with the order of detention but also with the grounds of detention and the supporting documents relied upon by the detaining authority. Further, the Government cannot detain a person under Preventive Detention Act for a period of one year at a time, which is contrary to Section 3 of the Goondas Act. The Government did not place the material before the Advisory Board within 21 days and copies of the relevant documents were not supplied to the detenue. Therefore, he was unable to place his representation before the competent authority. The fact that in most of these cases, the investigation has been completed and the detenue is on bail in which two of the cases are still under investigation was not taken into consideration by the respondents. Hence, the said order passed by the Government is illegal and prayed to quash the same.

8. The learned counsel appearing for the petitioner has placed reliance on the following judgments:-

> ***Cherukuri Mani v. State of A.P.*** reported in ***2014 AIR SCW 2811;***
>
> *"14**.** Where the law prescribes a thing to be done in a particular manner following a particular procedure, it shall be done in the same manner following the provisions of law, without deviating from the prescribed procedure. When the provisions of Section 3 of the Act clearly mandated the authorities to pass an order of detention at one time for a period not exceeding three months only, the government order in the present case, directing detention of the husband of the appellant for a period of twelve months at a stretch is clear violation of the prescribed manner and contrary to the provisions of law. The Government cannot direct or extend the period of detention up to the maximum period of twelve months in one stroke, ignoring the cautious legislative intention that even the order of extension of detention must not exceed three months at any one time. One should not ignore the underlying principles while passing orders of detention or extending the detention period from time to time.*

In the case of ***Nenavath Bujji Etc. v. State of Telangana*** reported in ***2024 SCC OnLine SC 367,*** it is held in Paragraph 43 as under:

> *"16. While passing the detention order, the detaining authority not only considered the commission of offences committed by the detenus and their associates, but also considered its impact disturbing the "public order" and also the modus operandi adopted by them in commission of offences. Therefore, in order to prevent the detenus from committing similar offences, the impugned detention order was passed."*

Rushikesh Tanaji Bhotte v. State of Maharashtra and others *reported in* ***(2012) 2 Supreme Court Cases 72;***

> *13. A reference to the decision of the majority view in Vijay Narain Singh v. State of Bihar [(1984) 3 SCC 14 : 1984 SCC (Cri) 361] may not be out of context. In para 32 of the judgment, Venkataramiah, J. (as His Lordship then was) speaking for the majority observed as follows: (SCC p. 36)*
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> *"32. … When a person is enlarged on bail by a competent criminal court, great caution should be exercised in scrutinizing the validity of an order of preventive detention which is based*

on the very same charge which is to be tried by the criminal court."

Dhanya M v. State of Kerala and others *by its order dated* ***06.06.2025*** *passed in* ***Criminal Appeal No.2897/2025***

The detention order do not ascribe any reason as to how the actions of the detenue are against the public order of the State.

In ***Smt. Madhuri Adiga's*** case (*supra)*, the facts of the case are different and the core issue in the present case is that the said detention order was placed before the Advisory Board with all the relevant materials of the crime committed by the detenue and thereafter, the Advisory Board had heard and reserved the matter to pass its final opinion. During the pendency of the final opinion before the Advisory Board, the detaining authorities have confirmed the detention order. In this case, the facts are different and the subject matter of this issue is also different.

The facts of the above said cases referred by the learned counsel for the petitioner are not applicable to the present case.

9. Learned HCGP has placed reliance on the case of ***Puttaraju, since dead by its LR's Charan @ Kangli*** *(Held).*

> *"The District Magistrate as well as the Government, after subjective satisfaction of the materials placed before them, passed the detention order."*

10. The detention order does not reveal that it was passed after subjective satisfaction of the authorities and also said view was based on the facts of the case of ***D.Aruna Kumari's*** case *(Held)**.***

> *"That the sufficiency of the materials available to the Detaining Authority has to be examined by the Court while considering the writ petition or on behalf of the defendant. The Apex Court or the High Court does not sit in appeal over the detention order and it is not for the Court to assess the value of the evidence available to the Detaining Authority."*

Union of India v. Dimple Happy Dhakad *reported in* **(2019) 20 SCC 609:**

46. The court must be conscious that the satisfaction of the detaining authority is "subjective" in nature and the court cannot substitute its opinion for the subjective satisfaction of the detaining authority and interfere with the order of detention. It does not mean that the subjective satisfaction of the detaining authority is immune from judicial reviewability. By various decisions, the Supreme Court has carved out areas within which the validity of subjective satisfaction can be tested. In the present case, huge volume of gold had been smuggled into the country unabatedly for the last three years and about 3396 kg of the gold has been brought into India during the period from July 2018 to March 2019 camouflaging it with brass metal scrap. The detaining authority recorded finding that this has serious impact on the economy of the nation. The detaining authority also satisfied that the detenus have propensity to indulge in the same act of smuggling and passed the order of preventive detention, which is a preventive measure. Based on the documents and the materials placed before the detaining authority and considering the individual role of the detenus, the detaining authority satisfied itself

as to the detenus' continued propensity and their inclination to indulge in acts of smuggling in a planned manner to the detriment of the economic security of the country that there is a need to prevent the detenus from smuggling goods. The High Court erred in interfering with the satisfaction of the detaining authority and the impugned judgment [Dimple Happy Dhakad v. Directorate of Revenue Intelligence, 2019 SCC OnLine Bom 1104] cannot be sustained and is liable to be set aside'.

Haradhan Saha v. State of West Bengal *reported in* **(1975) 3 SCC 198:**

"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".

Pesala Nookaraju v. Government of Andra Pradesh and others *reported in* **(2023) 14 SCC 641:**

"74. In the case on hand, the detaining authority has specifically stated in the grounds of detention that selling liquor by the appellant detenu and the consumption by the people of that locality was harmful to their health. Such statement is an expression of his subjective satisfaction that the activities of the detenu appellant are prejudicial to the maintenance of public order. Not only that, the detaining authority has also recorded his satisfaction that it is necessary to prevent the detenu appellant from indulging further in such activities and this satisfaction has been drawn on the basis of the credible material on record. It is also well settled that whether the material was sufficient or not is not for the courts to decide by applying the objective basis as it is matter of subjective satisfaction of the detaining authority".

Ameena Begum v. State of Telangana reported in ***(2023) 9 SCC 587;***

*"59**.** …… It is pertinent to note that in the three criminal proceedings where the detenu had been released on bail, no applications for cancellation of bail had been moved by the State. In the light of the same, the provisions of the Act, which is an extraordinary statute, should not have been resorted to when ordinary*

criminal law provided sufficient means to address the apprehensions leading to the impugned detention order. There may have existed sufficient grounds to appeal against the bail orders, but the circumstances did not warrant the circumvention of ordinary criminal procedure to resort to an extraordinary measure of the law of preventive detention".

60. In Vijay Narain Singh v. State of Bihar [Vijay Narain Singh v. State of Bihar, (1984) 3 SCC 14 : 1984 SCC (Cri) 361] , Hon'ble E.S. Venkataramiah, J. (as the Chief Justice then was) observed : (SCC pp. 35-36, para 32)

32. … It is well settled that the law of preventive detention is a hard law and therefore it should be strictly construed. Care should be taken that the liberty of a person is not jeopardised unless his case falls squarely within the four corners of the relevant law. The law of preventive detention should not be used merely to clip the wings of an accused who is involved in a criminal prosecution. It is not intended for the purpose of keeping a man under detention when under ordinary criminal law it may not be possible to resist the issue of orders of bail, unless the material available is such as would satisfy the requirements of the legal provisions authorising such detention. When a person is enlarged on bail by a competent criminal court, great caution should be exercised in scrutinising the validity of an order of preventive detention which is based

on the very same charge which is to be tried by the criminal court".

11. The learned HCGP submits that in order to monitor his criminal activities, a "B" category Rowdy Sheet was opened in K.G. Nagar Police Station on 08.01.2021 *vide* order No.CC/13/ACP-05/2021. The Detaining Authority, after careful consideration, was satisfied that ordinary penal laws were insufficient to curb the detenue's incorrigible criminal conduct. Therefore, exercising powers under Section 3 of the Goondas Act, the Detention Order dated 16.01.2025 was issued as a preventive measure to ensure maintenance of public order. Despite repeated warnings by the Authorities, the detenue continued to indulge in criminal activities, indicating his habitual tendencies and failed to reform even after lawful intervention. It is emphasized that persistent criminal activities of the detenue posed a real and imminent threat to the even tempo of public life and necessitated preventive detention.

12. That all the procedures prescribed under Goondas Act, were strictly complied with prior to passing of the Detention Order. The detenue has been committing the crime against the innocent persons. All the offences committed by the detenue are heinous in nature. He got released on bail in the criminal cases registered against him and committed breach of conditions of bail. The respondents after subjective satisfaction of the materials placed before them passed the Detention Order. There is no illegality in the said Orders. Hence, prayed to dismiss the petition.

13. The learned HCGP submitted office file of the detention proceedings.

14. In light of the authoritative pronouncements produced by the learned HCGP, he would contend that reliance placed by the learned counsel for the petitioner on the ***Cherukuri's*** *case (supra),* has been subsequently overruled by the decisions of the Apex

Court. Hence, the reliance placed on ***Cherukuri's*** *case (supra)* is untenable and misplaced in law.

15. We have gone through the entire material placed before us and further concluded:

i) As per Section 3 read with Section 13 of Goondas Act, the Government is competent to pass a Detention Order for a period of 12 months at a time. If the said authority is delegated to District Magistrate or Commissioner of Police under Section 3(2) of Goondas Act, then only such officers shall not pass the Detention Order for a period of more than three months at a time. Section 3 of the Goondas Act, reads as under:

> ***Section 3. Power to make orders detaining certain persons.-*** *(1) The State Government may, if satisfied with respect to any bootlegger or drug-offender or gambler or goonda or Immoral Traffic Offender or Slum-Grabber or Video or Audio pirate that with a view to prevent him from acting in any manner prejudicial to the maintenance of public order, it is necessary so to do, make an order directing that such persons be detained.*

(2) If, having regard to the circumstances prevailing or likely to prevail in any area within the local limits of the jurisdiction of a District Magistrate or a Commissioner of Police, the State Government is satisfied that it is necessary so to do, it may, by order in writing, direct that during such period as may be specified in the order, such District Magistrate or Commissioner of Police may also, if satisfied as provided in sub-section (1), exercise the powers conferred by the sub-section:

Provided that the period specified in the order made by the State Government under this sub-section shall not, in the first instance, exceed three months, but the State Government may, if satisfied as aforesaid that it is necessary so to do, amend such order to extend such period from time to time by any period not exceeding three months at any one time.

(3) When any order is made under this section by an officer mentioned in sub-section (2), he shall forthwith report the fact to the State Government together with the grounds on which the order has been made and such other particulars as, in his opinion, have a bearing on the matter and no such order shall remain in force for more than twelve days after the making thereof,

unless, in the meantime, it has been approved by the State Government.

Section 13 of the Goondas Act, reads as under:

> ***Section 13. Maximum period of detention.-*** *The maximum period for which any person may be detained, in pursuance of any detention order made under this Act which has been confirmed under Section 12 shall be twelve months from the date of detention.*

ii) Further, it is observed that, the detaining authority has specifically stated in the grounds of detention that the detenue was involved in serious criminal cases such as attempt to murder, extortion, assault, kidnapping, threat to life, racketeering, rape, child sexual abuse (POCSO), sale of drugs since 2016 by forming a group of criminal associates and engaging in illegal activities, violating bail conditions after being released on bail. Meanwhile, the detenue involved in the following serious offences:

Sl.No	Year	Police Station	Law suit number	Section of the Act	Current stage
1.	2016	Hanumanthanagara	237/2016	IPC Section 143,147, 324, 326, 504 read with sec 149	The case acquittal
2	2018	Mandya District Maddur	165/2018	397 IPC	Will be in the court proceedings
3	2021	Kempegowda Nagara	02/2021	IPC Section 307 read with sec 34	Will be in the court proceedings
4	2021	Basavangudi	157/2021	IPC 307, 120(b) read with sec 149 & 25-1(b) (b) Arms Act	Will be in the court proceedings
5	2021	Kempegowda Nagara	139/2021	IPC Section 229	Punishment in the case
6	2022	V.V.Puram	04/2022	Section 20 NDPS Act & 25(1) (b) Arms Act	Will be in the court proceedings
7	2023	Basaweshvara Nagara	248/2023	4,6,8 POCSO Act & 376 IPC	Will be in the court proceedings
8	2024	Byatarayanpura	229/2024	109, 140(2), 308(5), 126(2), 115(2), 118(1), 351(3), 3(5), BNS Act 2023	The case is under investigation
9	2024	Hanmantnagara	242/2024	189(1), 189(4)(c), BNS Act 2023	The case is under investigation

iii) The above cases are registered against the detenue. The rowdy sheet was being monitored and despite detenue being arrested and remanded by the Court, without bringing any change in his lifestyle, the detenue violated the bail conditions by not using the opportunity given to him to lead a better life, continuously failing to attend valid Court hearings, engaging in criminal activities and continuing to commit criminal acts, thereby tending to destroy the welfare of the society and being harmful to public order. In view of the above, to maintain public order and the security in the metropolitan city of Bengaluru, it is reasonable to keep the said detenue in the preventive custody.

iv) Preventive detention is advised to assert protection to society. The authorities on the subject have strictly taken a view that preventive detention is advised to afford protection to the Society. The object is not to punish a man for having done something, but to intercept before he does it and to prevent him from

doing so. Such statement is an expression of his views subject to satisfaction that the activities of the detenue-appellant are prejudicial to the maintenance of the public order not only that the detaining authority has also recorded that it is necessary to prevent the detenue from indulging in such activities and the satisfaction has been drawn on the basis of the credible material on record. It is also well settled that whether the material was sufficient or not, is not the course to act by objective basis subject to satisfaction of the detaining authority.

v) The Commissioner of Police, as well as the Government, strictly complied with the procedure before passing of the Detention Order. Representation was given to the Commissioner of Police on 26.01.2025, by the Commissioner of Police as the decision is not relied upon and recorded relevant reasons for detention and his satisfaction for passing such orders. The Commissioner of Police submitted the file

to the Government and the Government, by Order dated 28.01.2025, confirmed the Order of the Commissioner of Police. The matter was then referred to the Advisory Board.

16. Section 12 of the Act, 1986 provides that where the Advisory Board in its report is of the opinion that sufficient cause exists warranting detention, the Government may confirm the detention i.e., it gives the appropriate Government the discretion to either confirm or revoke the order of detention. But where the Advisory Board in its report is of the pinion that no sufficient cause exists for the detention of the detenue, the same is binding on the Government, and the detenue is forthwith required to be released. The relevant observations read as under:-

> ***"12. Action upon report of Advisory Board.***
>
> *(1) In any case where the Advisory Board has reported that there is, in its opinion, sufficient cause for the detention of a person, the Government may confirm the detention order and continue the detention of the person concerned for such period, not exceeding the maximum period specified in section 13 as they think fit.*

> *(2) In any case, where the Advisory Board has reported that there is, in its opinion, no sufficient cause for the detention of the person concerned, the Government shall revoke the detention order cause the person to be released forthwith."*

17. Thereafter, on receipt of the opinion under Section 12 of the Act, the State Government has confirmed the detention order and continue the detention of the person on such period, not exceeding the maximum period of specified under Section 13 of the Act. Therefore, in view of the above circumstances, the detaining authority considered the materials placed before them and after subjective satisfaction of the same passed the detention order.

18. In view of the foregoing discussion, we do not find any reasons to hold that the order of the Government-detention authority is illegal or contrary to law. We cannot sit as an Appellate Court on the subjective satisfaction of the detaining authority, which is not permissible in law as held in above referred Judgments.

19. Therefore, finding no merit in the instant writ petition (HC) and devoid of merits, the same is liable to be dismissed.

20. Accordingly, the Writ Petition is ***dismissed.***

Sd/-
(ANU SIVARAMAN)
JUDGE

Sd/-
(DR. K.MANMADHA RAO)
JUDGE

BNV
Ct-ADP