

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.12.2016

CORAM

THE HON'BLE MR.JUSTICE M.JAICHANDREN
and
THE HON'BLE MR.JUSTICE T.MATHIVANAN

H.C.P.No.1156 of 2016

Sibi @ Sibikumar ... Petitioner

Vs

- 1.The Secretary to the Government,
Home, Prohibition and Excise Department,
Secretariat,
Chennai-600 009.
- 2.The Commissioner of Police,
Greater Chennai,
Chennai. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying to issue a WRIT OF HABEAS CORPUS to call for the records in connection with the order of detention passed by the second respondent, dated 7.10.2015, in BCDFGISSSV No.1098/2015, against the petitioner, detenu Sibi @ Sibikumar, aged about 25 years, son of Daranath, who is confined at the Central Prison, Puzhal, Chennai and to set aside the same and consequently, to direct the respondents to produce the detenu before this court and to set him at liberty.

For Petitioner : Mr.K.S.Kaviarasu

For Respondents : Mr.V.M.R.Rajentren,
Additional Public Prosecutor

ORDER

(Order of the Court was made by M.JAICHANDREN, J.)

This Habeas Corpus Petition has been filed, by the detenu, namely, Sibi @ Sibikumar, aged about 25 years, son of Daranath, praying that this Court may be pleased to issue a Writ of Habeas Corpus, to call for the records, in Memo No.1098/BCDFGISSSV/2015, dated 7.10.2015, passed by the second Respondent, detaining the detenu, under Section 3(1) of the

Tamil Nadu Prevention of Dangerous Activities of Bootleggers, Drug Offenders, Forest Offenders, Goondas, Immoral Traffic Offenders, Sand Offenders, Slum Grabbers and Video Pirates Act, 1982 (Tamil Nadu Act 14 of 1982), branding him as a "Goonda", in the Central Prison, Puzhal, Chennai, and to quash the same and to direct the Respondents to produce the body of the detenu and to set him at liberty forthwith.

2 At this stage of the hearing of the Habeas Corpus Petition, the learned Additional Public Prosecutor appearing on behalf of the respondents had submitted that the impugned detention order is dated 7.10.2015 and therefore, the period of detention, prescribed under the Tamil Nadu Act 14/1982, had already expired. Hence, the Habeas Corpus Petition has become infructuous.

3 The learned counsel appearing on behalf of the petitioner had not refuted the submission made by the learned Additional Public Prosecutor, appearing on behalf of the respondents.

4 In such circumstances, recording the submission of the learned Additional Public Prosecutor, this Habeas Corpus Petition stands dismissed, as infructuous.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

vvk
To

1.The Secretary to the Government,
Home, Prohibition and Excise Department,
Secretariat,
Chennai-600 009.

2.The Commissioner of Police,
Greater Chennai,
Chennai.

3.The Public Prosecutor,
High Court, Madras.

4.The Superintendent,
Central Prison,
Puzhal, Chennai.

5.The Joint Secretary to Government,
Public(Law & Order),
Fort Saint George, Chennai - 9.

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