

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.06.2016

CORAM

THE HON'BLE MR.JUSTICE S.NAGAMUTHU
and
THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

H.C.P.No.117/2016

E.Subbulakshmi

.. Petitioner

Vs

1. The Secretary to Government,
Prohibition and Excise Department,
Secretariat, Chennai-9.
2. The Commissioner of Police,
Greater Chennai, Vepery,
Chennai-7.
3. The Inspector of Police,
J.4 Kottupuram Police Station,
Chennai-85.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying to issue a WRIT OF HABEAS CORPUS, calling for the records relating to detention order passed by the 2nd respondent against the detenu dated 04.12.2015 in Detention Order vide Memo No.1227/BCDFGISSSV/2015 and set aside the same and produce the detenu E.Murugan, son of Esakki Muthu, before this court now detained in Central Prison, Puzhal at Chennai.

For Petitioner : Mr.B.Aravindan

For Respondents : Mr.A.N.Thambi Durai,
Additional Public Prosecutor

ORDER

[Order of the Court was made by S.NAGAMUTHU,J]

The petitioner is the mother of one E.Murugan, son of Esakki Muthu, who has been lodged in Central Prison, Puzhal, Chennai, as per the orders of the 2nd respondent by his Proceedings in No.1227/BCDFGISSSV/2015, dated 04.12.2015 made under Section 3(2) of the Tamil Nadu Act 14 of 1982 branding him as a 'GOONDA'. Challenging the same, the petitioner is before this Court with this Habeas Corpus Petition.

2. We have heard the learned Counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondents and we have also perused the records carefully.

3. The detenu has been branded as a ''Goonda'' as he was involved in two murder cases and one robbery case. In one of the cases, he was granted bail and in the other murder case, the bail application filed by him was pending. The Detaining Authority has taken all the relevant facts and has come to the subjective satisfaction that the detenu deserves to be detained in prison by way of preventive detention for one year.

4. The learned Counsel for the petitioner would submit that two pages in the typed set of booklet furnished along with the impugned detention order to the detenu are illegible.

5. In our considered view, on this ground, the detention order cannot be quashed. The purpose of furnishing the details is to enable the detenu to make effective representation against the order of detention. But, in this case, the petitioner had not sent any representation at all aggrieved over the detention order. Apart from that, in the grounds of this Habeas Corpus Petition, he has not raised any such plea at all.

6. The learned Counsel for the petitioner would further submit that one of the remand orders, the name of the Judge has been mentioned wrongly. This is also no ground for quashing. Apart from that, the learned Counsel has not made out any ground to quash the detention order.

7. In view of all the above, we do not find any merit in this Habeas Corpus Petition and the same is accordingly dismissed.

सत्यमेव जयते

Sd/-
Asst.Registrar (CS VI)

/true copy/

Sub Asst. Registrar

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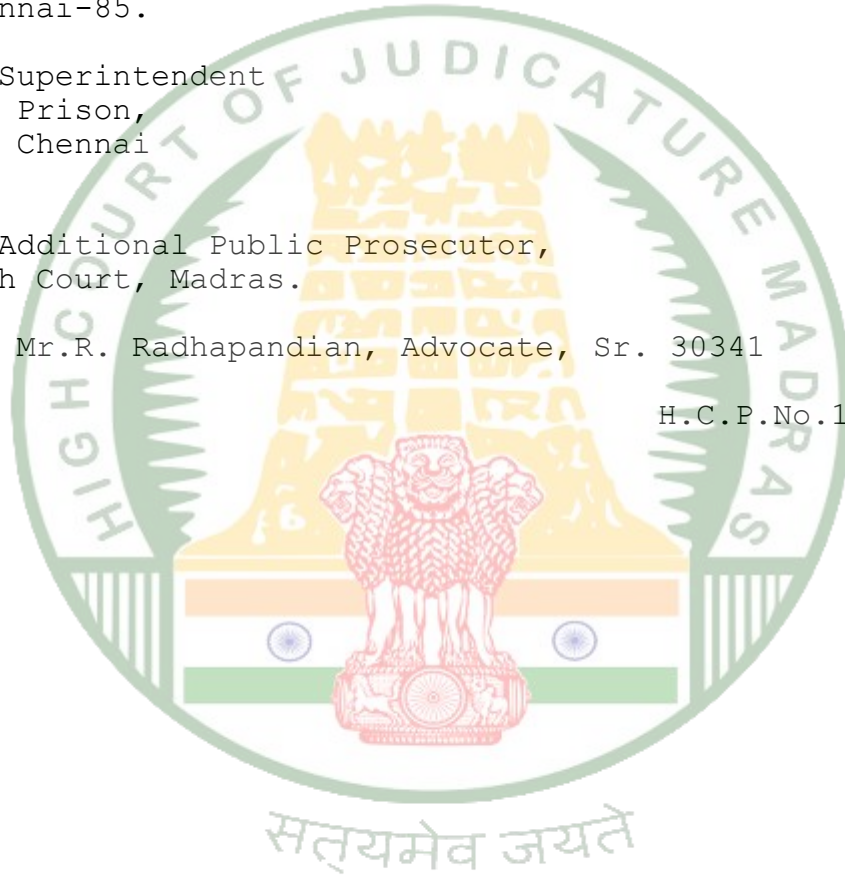
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To

1. The Secretary to Government,
Prohibition and Excise Department,
Secretariat, Chennai-9.
 2. The Commissioner of Police,
Greater Chennai, Vepery,
Chennai-7.
 3. The Inspector of Police,
J.4 Kottupuram Police Station,
Chennai-85.
 4. The Superintendent
Central Prison,
Puzhal, Chennai
 5. The Additional Public Prosecutor,
High Court, Madras.
- 1 cc to Mr.R. Radhapandian, Advocate, Sr. 30341

H.C.P.No.117/2016

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