

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.12.2016

CORAM

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

H.C.P.No.1304 of 2016

Nandhini

.. Petitioner

Vs

1. The Secretary to the Government,
Home, Prohibition and Excise Department,
Secretariat,
Chennai-9.
2. The Commissioner of Police,
Vepery,
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, in BCDFGISSSV No.1067/2015, dated 30.9.2015, against the detenu, namely Damodharan @ Chellakunju, aged about 27 years, son of Baskar, who is now confined in the Central Prison, Puzhal and to set aside the same and to direct the respondents to produce the detenu before this court and to set him at liberty.

For Petitioner : No appearance

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

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ORDER

This Habeas Corpus Petition has been filed, by the wife of the detenu, namely, Damodharan @ Chellakunju, aged about 27 years, son of Baskar, praying that this Court may be pleased to issue a Writ of Habeas Corpus, to call for the records, in Memo No.1067/BCDFGISSSV/2015, dated 30.9.2015, 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 When the matter is called, there is no representation on behalf of the petitioner. 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 30.9.2015 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 In such circumstances, recording the submission of the learned Additional Public Prosecutor, this Habeas Corpus Petition stands dismissed, as infructuous.

s/d-
Assistant Registrar

//True Copy//

Sub-Assistant Registrar

vvk

To

1. The Secretary to the Government,
Home, Prohibition and Excise Department,
Secretariat,
Chennai-9.
2. The Commissioner of Police,
Vepery,
Chennai.
3. The Superintendent, Central Prison, Puzhal, Chennai
4. The Public Prosecutor,
High Court, Madras.

H.C.P.No.1304 of 2016

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