

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.1307 of 2016

Rajkumar

.. Petitioner

Vs

1. The State of Tamil Nadu,
rep by the Secretary to the Government,
Home, Prohibition and Excise Department,
Fort St. George,
Chennai-600 009.
2. The Commissioner of Police,
The Commissioner Office,
Vepery, Chennai-600 007.

.. 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 relating to the detention order in Memo No.1156/BCDFGISSSV/2015, dated 2.11.2015, passed by the second respondent and to set aside the same and to direct the respondents to produce the petitioner's son Manikandan @ Poonai, son of Rajkumar, aged about 22 years, the detenu, now confined in the Central Prison, Puzhal, Chennai, before this Court and to set him at liberty.

For Petitioner : Mr.R.Muthukumar

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

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ORDER

This Habeas Corpus Petition has been filed, by the father of the detenu, namely, Manikandan @ Poonai, aged about 22 years, son of Rajkumar, praying that this Court may be pleased to issue a Writ of Habeas Corpus, to call for the records, in No.1156/BCDFGISSSV/2015, dated 2.11.2015, 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 2.11.2015 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.

s/d-
Assistant Registrar

//True Copy//

Sub-Assistant Registrar

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To

1. The Secretary,
The State of Tamil Nadu,
Home, Prohibition and Excise Department,
Fort St. George,
Chennai-600 009.
2. The Commissioner of Police,
The Commissioner Office,
Vepery, Chennai-600 007.
3. The Superintendent, Central Prison, Puzhal, Chennai
4. The Public Prosecutor,
High Court, Madras.

H.C.P.No.1307 of 2016

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