

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.09.2016

CORAM:

THE HON'BLE MR.JUSTICE A.SELVAM

AND

THE HON'BLE MR.JUSTICE P.KALAIYARASAN

H.C.P.No.893 of 2016

Shanmugam

... Petitioner/Detenu

vs.

1.The State of Tamil Nadu,
rep.by its Secretary to Government(Home),
Prohibition and Excise Department,
Secretariat, Chennai-600 009

2.The District Collector and District
Magistrate,
Coimbatore

... Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of habeas corpus to call for the entire records in connection with detention order Cr.M.P.No.40/G/2015/E1, dated 23.07.2015, on the file of the 2nd respondent herein and set aside the same and direct the respondents herein to produce the detenu, Shanmugam, son of Kalmuthu, who is now confined in Central Prison, Coimbatore, before this Court and set him at liberty.

For Petitioner : No appearance

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

सत्यमेव जयते
ORDER

(Order of the Court was made by A.SELVAM, J.)

This Habeas Corpus Petition has been filed under Article 226 of the Constitution of India, praying to call for the records relating to detention order, dated 23.07.2015, passed in Cr.M.P.No.40/G/2015/E1, by the detaining authority, who has been arrayed as second respondent herein, against the detenu, by name Shanmugam, son of Kalimuthu, and quash the same.

2. The learned counsel appearing for the petitioner is not present.

3. Considering the fact that the detention order in question has been passed on 23.07.2015 only for a period of one year and the said period has already elapsed, the relief sought in the petition has become infructuous and the same is liable to be dismissed.

In fine, this habeas corpus petition is dismissed. The respondents are directed to set the detenu, by name, Shanmugam, at liberty, if he is in custody, forthwith, unless he is required to be incarcerated in connection with some other case.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

msk

To

- 1.The Secretary to Government (Home),
Prohibition and Excise Department,
Secretariat, Chennai-600 009
- 2.The District Collector and District
Magistrate,
Coimbatore
- 3.The Superintendent of Police,
Central Prison, Coimbatore.
- 4.The Public Prosecutor,
High Court, Madras.

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