

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.11.2016

CORAM

THE HON'BLE MR.JUSTICE M.JAICHANDREN  
and  
THE HON'BLE MR.JUSTICE S.BASKARAN

H.C.P.No.928 of 2016

Saravanan

... Petitioner/Detenu

Vs

1. The District Magistrate and  
the District Collector,  
Namakkal District.

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

... Respondents

Prayer: I Petition filed under Article 226 of the Constitution of India, praying to issue a WRIT OF HABEAS CORPUS to call for the records in C.M.P.No.68/Goonda/2015/M1, dated 19.10.2015, passed by the first respondent, set aside the same and to direct the respondents to produce the detenu Saravanan, aged 23 years, son of Dakshinamoorthy, Thiruvotriyur, Chennai, now at Lakshmi Nagar, Erode District, who is now detained in the Central Prison, Salem, before this Court and set him at liberty.

For Petitioner : Mr.VKR.Balakrishnan

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, Saravanan, aged about 23 years, son of Dakshinamoorthy, praying that this Court may be pleased to issue a Writ of Habeas Corpus, to call for the records, in C.M.P.No.68/Goonda/2015/M1, dated 19.10.2015, passed by the first 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, Salem, and to quash the same and to direct the Respondents to produce the body of the detenu and 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 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. Recording the submission of the learned Additional Public Prosecutor, this Habeas Corpus Petition stands dismissed, as infructuous.

Sd/-

Assistant Registrar (CS IV)

//True Copy//

Sub Assistant Registrar

vvk

To

1. The Principal Secretary,  
The State of Tamil Nadu,  
Home, Prohibition and Excise Department,  
Fort St. George,  
Chennai-600 009.

2. The District Magistrate and  
the District Collector,  
Namakkal District.

3. The Superintendent,  
Central Prison, Salem.

4. The Public Prosecutor,  
High Court, Madras.

+lcc to Mr.VKR.Balakrishnan, Advocate, S.R.No.66429

H.C.P.No.928 of 2016

CA(CO)

CA(22/12/2016)