

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.01.2017

CORAM

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

H.C.P.No.1098 of 2016

Anitha ... Petitioner

Vs

1.The State of Tamilnadu,
rep by the Secretary to Government,
Home, Prohibition and Excise Department,
Fort St George,
Chennai-600 009.

2.The District Magistrate and
District Collector,
The Nilgiris District,
Udhagamandalam.

... 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 of the second respondent, pertaining to the order made in Cr.M.P.No.02/2016/Goonda, dated 16.3.2016, and to set aside the same and to direct the respondents to produce the detenu, Kannan @ Chandramohan, aged about 42 years, son of Veerasamy, detained at the Central Prison, Coimbatore, before this Court and to set him at liberty.

For Petitioner : Ms.K.Aneesfathima

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 wife of the detenu, namely, Kannan @ Chandramohan, aged about 42 years, son of Veerasamy, praying that this Court may be pleased to issue a Writ of Habeas Corpus, to call for the records, in

Cr.M.P.No.02/2016/Goonda, dated 16.3.2016, 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, Coimbatore, 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 Heard the learned counsel appearing on behalf of the petitioner, as well as the learned Additional Public Prosecutor, appearing on behalf of the respondents.

3 The impugned order of detention, dated 16.3.2016, had been passed by the second respondent, detaining the detenu on various grounds. A detailed counter affidavit, dated 28.6.2016, had been filed by the second respondent, defending the impugned order of detention. It had also been shown that the detenu had been convicted in a number of cases of chain snatching and other such offences and nearly 51 cases have been shown, wherein the detenu had been involved in committing offences, under the various provisions of the Indian Penal Code. The learned counsel appearing on behalf of the petitioner has not been able to show any valid ground, for quashing the impugned order of detention, dated 16.3.2016. Hence, we are inclined to dismiss the Habeas Corpus Petition. Accordingly, the Habeas Corpus Petition stands dismissed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

vvk

To

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

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2.The District Magistrate and
District Collector,
The Nilgiris District,
Udhagamandalam.

3.The Superintendent of Central Prison,
Coimbatore.

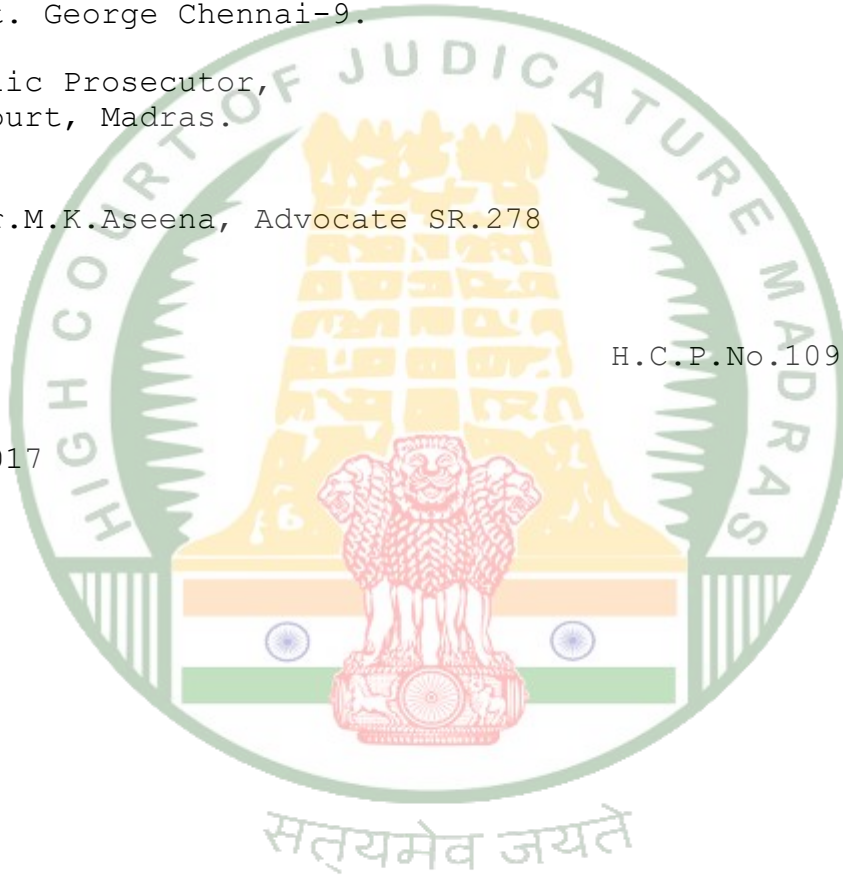
4.The Joint secretary to the Government,
Public (Law and Order) Department,
Fort st. George Chennai-9.

5.The Public Prosecutor,
High Court, Madras.

+lcc to Mr.M.K.Aseena, Advocate SR.278

H.C.P.No.1098 of 2016

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srg 6/2/2017



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