

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.02.2017

CORAM

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

H.C.P.No.1673 of 2016

V.Manimegalai .. Petitioner

Vs.

1.The State of Tamil Nadu
represented by its Secretary to Government
Prohibition and Excise Department
Fort St. George, Chennai - 600 009

2. The Commissioner of Police
Greater Chennai, Egmore
Chennai - 600 008 .. 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 dated 03.02.2016 vide order No.50/BCDFGISSSV/2016 against the petitioner's husband Vinoth, Son of Thiraviyam, male aged 28 years, now confined at Central Prison, Puzhal and set aside the same.

For Petitioner : Mr.Palanivelu

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, Vinoth, aged about 28 years, Son of Thiraviyam praying that this Court may be pleased to issue a Writ of Habeas Corpus, to call for the records, in Order No.50/BCDFGISSSV/2016, dated 03.02.2016, 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, Puzhal, Chennai, 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 impugned detention order is dated 03.02.2016 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.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

gpa

To

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

2 The Commissioner of Police
Greater Chennai
Egmore, Chennai 8

3.The Public Prosecutor,
High Court, Madras.

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