

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.02.2017

CORAM

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

H.C.P.No.443 of 2016

Shalini ... Petitioner/Detenuer

Vs

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

2.The Commissioner of Police,
Chennai Police,
Chennai.

.. 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 1.2.2016, in BCDFGISSSV No.43/2016, against the petitioner, detenuer, Shalini, aged 24 years, wife of Karthik, confined in the Special Prison for Women, Puzhal, Chennai and to set aside the same and consequently, to direct the respondents to produce the detenuer before this court and to set her at liberty.

For Petitioner : Mr.S.Senthilvel,
for Mr.K.S.Kaviarasu

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

ORDER

This Habeas Corpus Petition has been filed, by the detenuer, namely, Shalini, aged about 24 years, wife of Karthik, praying that this Court may be pleased to issue a Writ of Habeas Corpus, to call for the records, in No.43/BCDFGISSSV/2016, dated 1.2.2016, passed by the second Respondent, detaining the

detenue, 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 her as a "Goonda", in the Special Prison for Women, Puzhal, Chennai, and to quash the same and to direct the Respondents to produce the body of the detenue and set her at liberty forthwith.

2. At this stage of the hearing of the Habeas Corpus Petition, the learned counsel appearing on behalf of the petitioner had submitted that the impugned detention order is dated 1.2.2016 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 Additional Public Prosecutor appearing on behalf of the respondents had not refuted the submission made by the learned counsel appearing on behalf of the petitioner.

4. In such circumstances, recording the above said submission of the learned counsels appearing for the parties concerned, this Habeas Corpus Petition stands dismissed, as infructuous.

Sd/-
Asst.Registrar (CS VI)

/true copy/

Sub Asst. Registrar

To

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

2.The Commissioner of Police,
Chennai Police,
Chennai.

3.The Superintendent,
Special Prison for Women,
Puzhal, Chennai.

4.The Joint Secretary to Government,
Public (L&O) Department,
Fort. St. George, Chennai-9.

5. The Public Prosecutor,
High Court, Madras.

H.C.P.No.443 of 2016

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