

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 06.07.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH
and
THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

H.C.P. (MD) No.206 of 2017

Karthick @ 'Araipadi' Karthick : Petitioner
Vs.

1. The Principal Secretary to the Government,
State of Tamil Nadu,
Home, Prohibition and Excise Department,
Fort. St. George, Chennai - 9.

2. The Commissioner of Police,
Office of the Commissioner of Police,
Madurai City, Madurai.

3. The Superintendent of Prison,
Madurai Central Prison,
Madurai District.

: Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus, calling for the entire records, connected with the detention order of the second respondent in No.13/BCDFGISSSV/2017 dated 03/02/2017 and Quash the same and direct the respondents to produce the body or person of the detenu by name Karthick @ 'Araipadi' Karthick son of Ravi aged about 28 years, now detained at Madurai Central Prison before this Honourable Court and set him at liberty forthwith.

For Petitioner : Mr.R.Alagumani

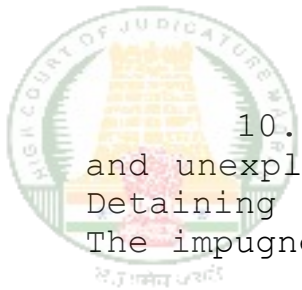
For Respondents : Mr.C.Ramesh

Additional Public Prosecutor.

O R D E R

[Order of the Court was made by **M.M.SUNDRESH, J.**]

The petitioner is detenu - Karthick @ 'Araipadi' Karthick, aged about 28 years. The detenu has been detained by the second respondent by his order in No.13/BCDFGISSSV/2017 dated 03.02.2017 holding him to be a "Goonda", as contemplated under Section 2 (f) of the Tamil Nadu Act 14 of 1982. The said order is under challenge in this Habeas Corpus Petition.



10. In the subject case, admittedly, there is an inordinate and unexplained delay of 6 days in submitting the remarks by the Detaining Authority and 2 days in considering the representation. The impugned detention order is, therefore, liable to be quashed.

11. In the result, the Detention Order, passed by the second respondent, in his proceedings in No.13/BCDFGISSSV/2017, dated 03.02.2017, is quashed. The detenu, namely, Karthick @ 'Araipadi' Karthick is ordered to be set at liberty forthwith, if he is not required for detention in connection with any other case.

12. In the upshot, we allow the Habeas Corpus Petition.

Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

To

1. The Principal Secretary to the Government,
The State of Tamil Nadu,
Home, Prohibition and Excise Department,
Fort. St. George, Chennai - 9.
2. The Commissioner of Police,
Office of the Commissioner of Police,
Madurai City, Madurai.
3. The Superintendent of Prison,
Madurai Central Prison,
Madurai District.
4. Joint Secretary to Government,
Public (Law & Order),
Fort.St.George, Chennai-9.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER MADE IN
H.C.P (MD) No.206 of 2017
06.07.2017