



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 12.04.2017
CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
AND
THE HONOURABLE MR.JUSTICE P.VELMURUGAN

H.C.P(MD)No.1524 of 2016

Ravi @ Ravichandran

... Petitioner

Vs.

1.The Secretary to Government,
State of Tamil Nadu,
Home, Prohibition and Excise Department,
Fort St.George, Chennai-600009.

2.The District Collector and District Magistrate,
Office of the District Collector and District Magistrate,
Ramanathapuram.

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

... Respondents

PRAYER: Habeas Corpus Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Habeas Corpus to call for the entire records connected with the detention order of the respondent No.2 in Cr.M.P.No.45/B.L/2016 dated 02.11.2016 and quash the same and direct the respondents to produce the body or person of the detenu by name Ravi @ Ravichandran, son of Subramani, aged about 35 years, now detained at Madurai Central Prison before this Court and set him at liberty forthwith.

For Petitioner : Mr.R.Alagumani

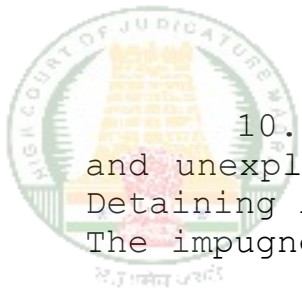
For Respondents : Mr.C.Ramesh

Additional Public Prosecutor

O R D E R

[Order of the Court was made by T.S.SIVAGNANAM,J.]

The petitioner is the detenu, aged about 35 years. The detenu has been detained by the second respondent by his order in Cr.M.P.No.45/B.L/2016 dated 02.11.2016 holding him to be a "Bootlegger", as contemplated under Section 2(f) of Tamil Nadu Act 19 of 1962. 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 7 days in submitting the remarks by the Detaining Authority and 17 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 Cr.M.P.No.45/B.L/2016 dated 02.11.2016 is quashed. The detenu, namely, Ravi @ Ravichandran 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(Protocol)

/True Copy/

Sub-Assistant Registrar

To

- 1.The Secretary to Government,
State of Tamil Nadu,
Home, Prohibition and Excise Department,
Fort St.George, Chennai-600009.
- 2.The District Collector and District Magistrate,
Office of the District Collector and District Magistrate,
Ramanathapuram.
- 3.The Superintendent of Prison,
Madurai Central Prison,
Madurai District.
- 4.The Joint Secretary to Government of Tamil Nadu,
Public (Law and Order), Fort Saint George,
Chennai-9
- 5.The Additional Public Prosecutor
Madurai Bench of Madras High Court, Madurai
akv
RL/6C/3P/MR/SAR2/26.4.2017

H.C.P(MD) No.1524 of 2016