

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.05.2018

CORAM

THE HON'BLE Mr.JUSTICE S.M.SUBRAMANIAM
AND
THE HON'BLE Mrs.JUSTICE S.RAMATHILAGAM

H.C.P.No.47 of 2018

Appu @ Narendran Petitioner

Vs

1. State of Tamil Nadu,
Represented by
The Secretary to the Government
Department of Home, Prohibition and Excise
Secretariat, Fort St.George,
Chennai.
2. The Commissioner of Police
Greater Chennai
Office of the Commissioner of Police
Vepery, Chennai. Respondents

Petition filed under Article 226 of the Constitution of India, praying to issue a WRIT OF HABEAS CORPUS to call for the records in Memo No.783/BCDFGISSSV/2017 passed by the 2nd respondent on 22.12.2017, set aside the same and direct the respondents to produce the detenu Appu @ Narendren, Son of Angappan, aged about 30 years, presently confined in the Central Prison, Puzhal-II, Chennai.

For Petitioner : Mr.J.Stalin

For Respondents: Mr.R.Ravichandran

O R D E R

(Order of the Court was made by S.M.SUBRAMANIAN, J.)

The Detention Order passed by the Commissioner of Police, Greater Chennai, in Proceedings dated 22.12.2017, is under challenge in this Habeas Corpus Petition. The detenu was detained on 22.12.2017, based on three adverse cases and one ground case.

2. The learned counsel appearing on behalf of the petitioner made a submission that the detenu has not filed any bail application so far. Thus, the order of Detention is liable to be scrapped.

3. The learned Government Advocate appearing on behalf of the respondents made a submission that this is not a simple case of theft, alleged to have been committed by the detenu, contrarily, the allegations set out in the ground case is self evident that he has threatened the driver and the passengers travelling in the car stolen in the knife point and created a panic in the public place.

4. On perusal of the allegations set out in the ground case, we are of the considered opinion that the nature of the allegations are certainly serious and affecting the public order. Thus, the ground case registered against the detenu cannot be stated to be a simple case of theft and the allegations are not only serious and affecting the tempo of life and tranquillity of public at large. This being the nature of the ground case, registered against the detenu, we are of the considered opinion that the present Habeas Corpus Petition is not a fit case for further consideration. This apart, it is brought to our notice that the detenu has involved in some other cases, which all are also serious in nature and under these circumstances, we are not inclined to consider the case of the detenu in this Habeas Corpus Petition. Accordingly, this Habeas Corpus Petition stands dismissed.

Sd/-

Assistant Registrar(CS III)

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Sub Assistant Registrar

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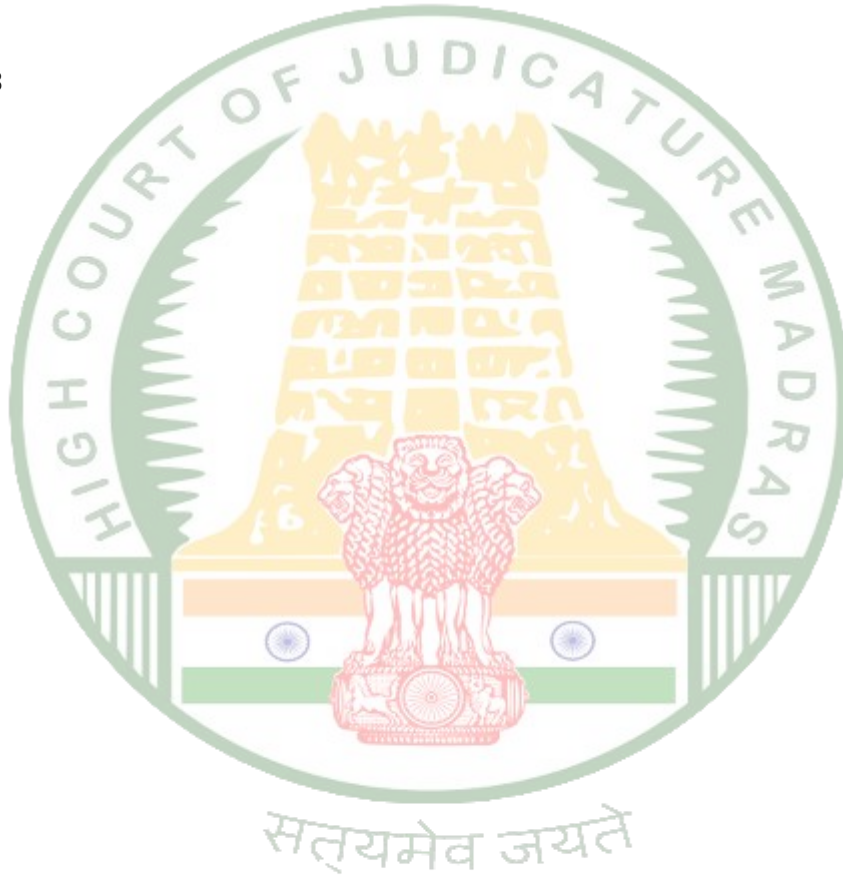
1. The Secretary to the Government
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Office of the Commissioner of Police
Vepery, Chennai.

+1cc to Mr.J.Stalin, Advocate Sr.33196

HCP No.47 of 2018

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17/05/2018



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