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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.11.2019

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

CRL.O.P.NO.30826 OF 2019

Subha

...Petitioner

Vs

1. The State of Tamil Nadu,
Rep.by The Home Secretary,
Secretariat, Fort St. George,
Chennai - 9.
2. The District Collector,
Nagappattinam District,
Nagappattinam.
3. The Superintendent of Police,
Nagappattinam District,
Nagappattinam.
4. The Inspector of Police,
PEW Nagappattinam Police Station,
Nagappattinam.
5. The Inspector of Police,
PEW Sirkali Police Station,
Nagappattinam District.

...Respondents

PRAYER:

Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the respondents to consider the petitioner's representation dated 02.11.2019 and direct the respondents to not to detain the petitioner's husband, Gopalakirishnan Balaji S/o. Krishnasamy aged about 50 years under preventive detention under Act 14 of 1982 (Goonda).

For Petitioner : Mr.S.Rajanikanth

For Respondents: Mr.C.Iyyapparaj
Additional Public Prosecutor



O R D E R

The prayer sought for in the present petition is to direct the respondents to consider the petitioner's representation dated 02.11.2019 and to not to detain the petitioner's husband, Gopalakirishnan Balaji S/o. Krishnasamy aged about 50 years under preventive detention under Act 14 of 1982 (Goonda).

2. The decision to invoke Act 14 of 1982 (Goonda) would depend on various factors including the criminal cases in which the petitioner's husband may have involved earlier and as such, this Court may not be justified in granting an omni bus order, refraining them from invoking the said provisions of the Act against the petitioner's husband. The petitioner's representation dated 02.11.2019 is also to the effect that the respondents should not invoke the provisions of Act 14 of 1982.

3. Hence, the present prayer can only be deemed to be premature. If at all the petitioner is aggrieved against any action that may be taken against her husband in this connection, it is always open to her to challenge the same in accordance with law.

4. Accordingly, the Criminal Original Petition stands dismissed.

Sd/-

Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

hvk

To

1. The Home Secretary,
Secretariat, The State of Tamil Nadu,
Fort St. George,
Chennai - 9.
2. The District Collector,
Nagappattinam District,
Nagappattinam.
3. The Superintendent of Police,
Nagappattinam District,
Nagappattinam.



4. The Inspector of Police,
PEW Nagappattinam Police Station,
Nagappattinam.

5. The Inspector of Police,
PEW Sirkali Police Station,
Nagappattinam District.

6. The Public Prosecutor,
High Court of Madras.

+lcc to Mr.S.Rajanikanth, Advocate, S.R.No.96656

Crl.O.P.No.30826 of 2019

CS/09/12/2019