

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.07.2020

CORAM :

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

AND

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

H.C.P.No.4 of 2020

L.Sait

...Petitioner

Vs

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

2.The Commissioner of Police/
Detaining Authority,
Tiruppur City,
Tiruppur.

...Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Habeas Corpus, calling for the entire records relating to the Petitioner's son detention under Tamil Nadu Act 14 of 1982 vide detention order, dated 14.11.2019 on the file of the second respondent herein made in proceedings Memo C.No.16/G/IS/2019, quash the same as illegal and consequently direct the respondents herein to produce the petitioner's son namely Raheem, S/o.Sait, aged 24 years before this Court and set the Petitioner's son at liberty from detention, now the Petitioner's son detained at Central Prison, Coimbatore.

For Petitioner : Mr.W.Camyles Gandhi.

For Respondents : Mr.R.Prathap Kumar,
Additional Public Prosecutor.

O R D E R
(Order of the court was made by N.KIRUBAKARAN.J.,)

The matter was heard through "Video Conferencing".

2.The Father of the Detenu has filed this Petition challenging the Detention Order passed by the Second Respondent against his son in Memo C.No.16/G/IS/2019 dated 14.11.2019 as the Detenu has got five adverse cases in his credit apart from the ground case.

3.Heard Mr.W.Camyles Gandhi, learned Counsel appearing for the Petitioner and Mr.R.Prathap Kumar, learned Additional Public Prosecutor appearing for the Respondents.

4.Though this Court is not inclined to quash the Detention Order as the Detenu has indulged in chain snatching which is becoming a menace nowadays in the society, taking into consideration of the absence of the lacunae viz., translated copy of the remand extension order, this Court is compelled to quash the detention Order.

5.Accordingly, the detention order passed by the Second Respondent in Memo C.No.16/G/IS/2019 dated 14.11.2019 is quashed and the Habeas Corpus Petition is allowed. The detenu viz., Raheem, S/o.Sait, aged 24 years, who is confined at Central Prison, Coimbatore is directed to be set at liberty forthwith unless his presence is required in connection with any other case.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

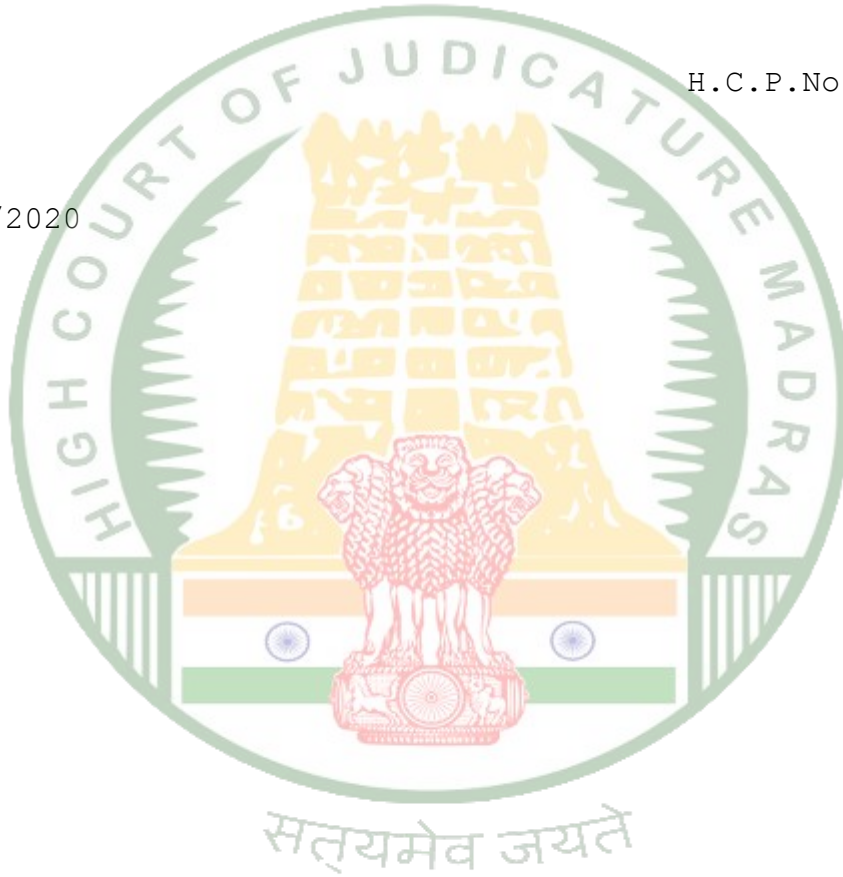
1.The Secretary to the Government,
Home, Prohibition and Excise Department.,
Secretariat,
Fort St.George,
Chennai - 600 009.

2.The Commissioner of Police/
Detaining Authority,
Tiruppur City,
Tiruppur.

- 3.The Superintendent of Prison,
Central Prison,
Coimbatore.
- 4.The Additional Public Prosecutor,
High Court of Madras,
Chennai.
- 5.The Joint Secretary to Government,
Public (Law & Order)
Secretariat, Chennai.

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KKV/30/07/2020



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