

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.10.2020

Coram

The Hon'ble Mr. Justice M.M.SUNDRESH
and
The Hon'ble Mr. Justice D.KRISHNAKUMAR

H.C.P. No. 665 of 2020

S.Sundar

... Petitioner

-vs-

- 1.The Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat, Fort St. George,
Chennai 600 009.
- 2.The District Magistrate and District Collector,
Tiruppur District,
Tiruppur.
- 3.The Superintendent of Police,
O/o. Superintendent Office,
Tiruppur,
Tiruppur District.
- 4.The Superintendent of Central Prison,
Dr Nanjappa Road,
ATT Colony,
Gopalapuram - 641 018,
Gandhipuram,
Coimbatore District.
- 5.State rep. by its
The Inspector of Police,
Udumalaipettai Police Station,
Tiruppur District.

... Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of habeas corpus call for the entire records, relating to the petitioner's son detention under Tamil Nadu Act 14 of 1982 vide detention order, dated 09.03.2020 on the file of the second respondent herein made in proceedings Memo Cr.M.P.No.07/Drug Offender/2020, quash the same as illegal and consequently direct the respondents herein to produce the

petitioner's son namely Cheralatha Samuel Sundar alias Sham, S/o.Sundar, aged 20 years before this Court and set the petitioner's son at liberty from detention.

For Petitioner : Mr.W.Camyles Gandhi

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

ORDER

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

The petitioner is the father of Cheralatha Samuel Sundar alias Sham, S/o.Sundar, aged 20 years, who is the detenu. The detenu has been detained by the second respondent by his order in Memo Cr.M.P.No.07/Drug Offender/2020 dated 09.03.2020 holding him to be a "DRUG OFFENDER", as contemplated under Section 2(e) of Tamil Nadu Act 14 of 1982. The said order is under challenge in this Habeas Corpus Petition.

2. We have heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents and we have also perused the records carefully.

3. When the matter is taken up for hearing, learned Additional Public Prosecutor appearing for the State submitted that the detenu along with his accomplices, without the prescription of doctor, purchased pain killing tablets, mixed them with normal saline water, injected through syringe to the body of school and college going students and caused intoxication to them. The amount collected was used by the detenu and his accomplices for consuming liquor. If the tablet is mixed with normal saline water and injected into the human bodies continuously, there is a possibility of danger to the health and human life. Considering the same, in a similar case in H.C.P.No.645 of 2020 filed on behalf of the co-detenu, this Court, by order dated 01.10.2020, dismissed the petition.

4. In such view of the matter, this habeas corpus petition is dismissed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

mmi/ssm

To

- 1.The Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat, Fort St. George,
Chennai 600 009.
- 2.The District Magistrate and District Collector,
Tiruppur District,
Tiruppur.
- 3.The Superintendent of Police,
O/o. Superintendent Office,
Tiruppur, Tiruppur District.
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- 5.The Inspector of Police,
Udumalaipettai Police Station,
Tiruppur District.
- 6.The Public Prosecutor,
High Court, Madras.

H.C.P. No. 665 of 2020

rsv[col]
srg 05/11/2020

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