

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.12.2020

Coram

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

H.C.P. No. 1068 of 2020

Anna Lakshmi

...Petitioner/Wife of Detenue

-vs-

1. The State of Tamil Nadu,
Rep. By its Secretary to Government
Home, Prohibition and Excise Department,
Secretariat, Fort St.George,
Chennai 600 009.
2. The District Collector and District Magistrate,
Villupuram District, Villupuram.
3. The Superintendent of Prison,
Central Prison, Cuddalore District.
4. The Superintendent of Police,
Villupuram District, Villupuram.
5. The Inspector of Police,
Brasmmadesam Police Station,
Villupuram District.

... Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus calling for the records pertaining to the order of detention passed in R.C.No.C2/30155/2019 dated 28.10.2019 passed by the 2nd respondent and set aside the same and direct the respondents to produce the petitioner's husband by name Mahendran, son of Rasaiyan, aged about 42 years, before this Court, now confined in Central Prison, Cuddalore and set him at liberty.

For Petitioner .. Mr.P.Arun

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 wife of Mahendran, son of Rasaiyan, male, aged about 42 years. The detenu has been detained by the second respondent by his order in R.C.No.C2/30155/2019 dated 28.10.2019, holding him to be a "Sexual Offender", as contemplated under Section 2(ggg) 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. Learned Additional Public Prosecutor appearing for the respondents submitted that the second respondent passed the detention order on 28.10.2019. He further submitted that from the date of passing of the detention more than one year has elapsed and, therefore, this petition is infructuous.

4. Recording the submission made by the learned Additional Public Prosecutor, this habeas corpus petition is dismissed as infructuous.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Secretary to Government
Home, Prohibition and Excise Department,
Secretariat, Fort St. George,
Chennai 600 009.
2. The District Collector and District Magistrate,
Villupuram District, Villupuram.
3. The Superintendent of Prison,
Central Prison, Cuddalore District.
4. The Superintendent of Police,
Villupuram District, Villupuram.
5. The Inspector of Police,
Brasmmadesam Police Station,
Villupuram District.

6. The Public Prosecutor,
High Court, Madras.
7. The Joint Secretary to Government,
Public(Law & Order)
Fort saint George, Chennai-09.

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