



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **23.06.2020**

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

AND

THE HONOURABLE MR. JUSTICE B.PUGALENDHI

H.C.P. (MD)No.909 of 2019

WEB COPY

Maharasi : Petitioner/Mother of Detenu

Vs.

1.The Additional Chief Secretary to the Government
Home, Prohibition and Excise Department
State of Tamilnadu
Fort St. George
Chennai-9.

2.The District Collector and District Magistrate
Tirunelveli District,
Tirunelveli.

3.The Superintendent of Prison
Palayamkottai Central Prison
Tirunelveli District. : Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India praying for the issue of a Writ of Habeas Corpus, to call for the entire records connected with the detention order of the respondent No.2 in M.H.S.Confdl.No.65/2019 dated 30.08.2019 and quash the same and direct the respondents to produce the detenu by name Chinnadurai, son of Muppudathi, aged about 23 years, now detained in Palayamkottai Central Prison before this Court and set him at liberty forthwith.

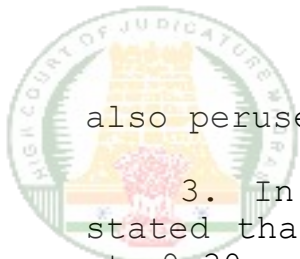
For Petitioner : Mr.R.Vinoth Bharathi
For Respondents : Mr.R.Anandharaj
Additional Public Prosecutor

ORDER

(Order of the Court was made by P.N.PRAKASH, J)

The petitioner is the mother of the detenu viz., Chinnadurai, S/o.Muppudathi, aged about 23 years. The detenu has been detained, as per the order of the second respondent, dated 30.08.2019, under Section 2(f) of the Tamil Nadu Act 14 of 1982, branding him as "Goonda". Challenging the same, the petititioner is before this Court in this Habeas Corpus Petition.

2.We have heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondents. We have
<https://hcservices.ecourts.gov.in/hcservices/>



also perused the records carefully.

3. In the English version of the remand order, it has been stated that the accused was produced before the learned Magistrate at 9.30 p.m. on 04.08.2019, whereas, English translation of the remand order, it has been stated as 'forenoon' instead of night 9.30 p.m. This, in our opinion, has not prejudiced the detenu. What is required for the detaining authority is as to whether the detenu was in remand during the relevant period or not. That apart, there is no delay in considering the representation of the detenu by the Government. In such view of the matter, the Habeas Corpus Petition stands dismissed.

Sd/-

Assistant Registrar (AS)

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/ /2020

Sub Assistant Registrar(CS)

RR

Note :

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To

- 1.The Additional Chief Secretary to the Government
Home, Prohibition and Excise Department
State of Tamilnadu
Fort St. George, Chennai-9.
- 2.The District Collector and District Magistrate
Tirunelveli District,
Tirunelveli.
- 3.The Superintendent of Prison
Palayamkottai Central Prison
Tirunelveli District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in

H.C.P. (MD) No.909 of 2019

Dated: 23.06.2020