



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

and

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

H.C.P.(MD) No.58 of 2021

Dhanabal

... Petitioner / Father of
the Detenue

-vs-

1.State of Tamil Nadu

rep.by The Additional Chief Secretary to Government
Home, Prohibition and Excise Department
Fort St.George, Chennai-9

2.The District Collector and District Magistrate

O/o.The District Collector and District Magistrate
Thanjavur District, Thanjavur

3.The Superintendent

Central Prison
Thiruchirappalli

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus calling for the entire records in detention order passed in P.D.No.81/2020, dated 17.11.2020, on the file of the second respondent herein and set aside the same as illegal and direct the respondents to produce the body or person of the petitioner's son namely Ramesh alias Rameshkumar, son of Dhanabal, aged 36 years, who is detained in Central Prison, Thiruchirapalli, before this Court and set him at liberty.

For Petitioner : No appearance

For Respondents : Mr.A.Thiruvadi Kumar
Additional Public Prosecutor

O R D E R

S.VAIDYANATHAN, J.

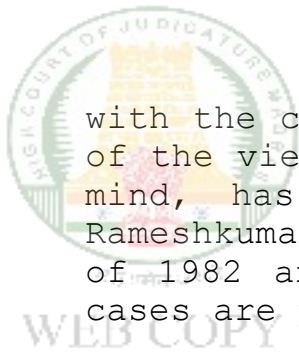
and

G.JAYACHANDRAN, J.

No representation for the petitioner.

2. On perusal of the petition and the records filed along

<https://hcservices.ecourts.gov.in/hcservices/>



with the counter affidavit of the second respondent, this Court is of the view that the Detaining Authority, after application of its mind, has found that the detenu herein, namely Ramesh alias Rameshkumar, is a Goonda as defined under the Tamil Nadu Act, 14 of 1982 and he is a habitual offender, against whom nearly ten cases are pending.

3. The ground case indicates that the detenu, on 31.10.2020, picked up wordy quarrel with one Surya, son of Jaganathan and attacked him with aruval on his head and caused grievous injuries. Hence, a case under Sections 294(b) and 307 I.P.C., was registered in Crime No.1394 of 2020, on the file of Thiruvaiyaru Police Station. The Detaining Authority being satisfied with the antecedents of the detenu, after serving the grounds of detention, has detained him under the Goondas Act. The records indicate that no representation was given by the detenu against the detention order and the term of detention is likely to be completed in a week's time. Hence, this habeas corpus petition is dismissed.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

krk

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 Government,
Home, Prohibition and Excise Department,
State of Tamil Nadu,
Fort St.George, Chennai-9.
- 2.The District Collector and District Magistrate,
O/o.The District Collector and District Magistrate,
Thanjavur District, Thanjavur.



3.The Superintendent,
Central Prison,
Thiruchirappalli.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

**H.C.P. (MD) No.58 of 2021
10.11.2021**

PS (CO)
SB(02.12.2021) 3P 5C