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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.02.2021

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM
and
THE HONOURABLE MR.JUSTICE G.ILANGOVAN

H.C.P.(MD) No.199 of 2020

Petchimuthu
S/o.Sankaran,
Ambalavasakar Street,
Maranthai,
Alangulam Taluk,
Tenkasi District,
now confined at
Central Prison,
Palayamkottai,
Tirunelveli District. ... Petitioner/Detenu

-vs-

1.The State of Tamil Nadu,
represented by the Additional Chief Secretary to Government
Home, Prohibition and Excise Department
Fort St.George, Chennai-600 009.

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

3.The Superintendent of Prison
Central Prison,
Palayamkottai,
Tirunelveli. ... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus calling for the entire records connected with the detention order passed in M.H.S.Confdl.No.15/2020, dated 21.02.2020 on the file of the 2nd respondent herein and quash the same and direct the respondents to produce the detenu or body of the detenu namely, Petchimuthu, aged about 27 years, S/o.Sankaran, now detained at the Central Prison, Palayamkottai, before this Court and set him at liberty forthwith.

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For Petitioner : Mr.N.Pragalathan

For Respondents : Mr.K.Dinesh Babu
Additional Public Prosecutor

O R D E R

[Order of the Court was made by K.KALYANASUNDARAM, J.]

This habeas corpus petition has been filed by the detenu, namely, Petchimuthu, son of Sankaran, aged about 27 years, challenging the Detention Order in M.H.S.Confdl.No.15/2020, dated 21.02.2020, passed by the second respondent, branding him as "Goonda" as contemplated under Section 2(f) of Tamil Nadu Act 14 of 1982.

2.Heard the learned counsel appearing for the Petitioner and the learned Additional Public Prosecutor appearing for the respondents and perused the materials available on record.

3.It is represented by the learned counsel for the Petitioner that in this case, the impugned detention order came to be passed on 21.02.2020 and the period of one year got expired on 21.02.2021 and therefore, the prayer sought for in this Habeas Corpus Petition has become infructuous.

4.Recording the same, this Habeas Corpus Petition is dismissed as having become infructuous.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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.

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To:

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

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

3.The Superintendent of Prison
Central Prison,
Palayamkottai,
Tirunelveli.

4.The Joint Secretary to Government,
Public(Law and Order),
Fort.St.George, Chennai-600 009.

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

ORDER MADE IN
H.C.P.(MD) No.199 of 2020
22.02.2021

KM (05.03.2021) 3P 6C

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