



Crl.M.P.No.7824 of 2024
in H.C.P.No.1163 of 2024

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M.S.RAMESH,J.
and
SUNDER MOHAN,J.

(Order of the Court was made by M.S.RAMESH,J.)

This Criminal Miscellaneous Petition has been filed seeking direction towards temporary release of the detinue for a period of one month and surpass the detention period passed by the second respondent in No.495/BCDFGISSSV/2024 dated 12.05.2024.

2. Under Section 15 of the Tamil Nadu Prevention of Dangerous Activities of Bootleggers, Cyber Law Offenders, Drug Offenders, Forest Offenders, Goondas, Immoral Traffic Offenders, Sand Offenders, Sexual Offenders, Slum Grabbers and Video Pirates Act, 1982 [Tamil Nadu Act 14 of 1982], it is the State Government that is empowered to pass orders for the temporary release of a person detained under the Act. As such, it would be appropriate for the petitioner to first approach the State Government / the first respondent herein, seeking for such temporary release. This Court,



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exercising its powers under Article 226 of the Constitution of India, will not step into the shoes of the statutory authority, which is empowered under the Act to consider the petitioner's request for temporary release. However, if the petitioner is granted liberty to make a representation before the first respondent with a consequential direction to the Government to pass order on his representation, the ends of justice could be secured.

3. Accordingly, the petitioner herein is granted liberty to make a representation to the first respondent ventilating his grievances and upon receipt of the same, the first respondent shall consider it, on its own merits and pass appropriate orders in accordance with law, within a period of eight (8) weeks from the date of receipt of a copy of the representation, if any.

4. With the aforesaid liberty, this Criminal Miscellaneous Petition stands closed.

(M.S.R.,J.) (S.M.,J.)
12.06.2024

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