



Crl.M.P.No.16060 of 2024 in H.C.P.No.1716 of 2024

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WEB C S.M.SUBRAMANIAM, J.
and
M.JOTHIRAMAN, J.

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

The present criminal miscellaneous petition has been instituted seeking extension of time to comply with the conditions imposed on the detenu in H.C.P.No.1716 of 2024 dated 20.09.2024.

2. The mother of the detenu filed the present petition seeking extension of time. The detenu is classified as A+ category in the police records. Near about 24 criminal cases are registered against him and based on the ground case, he was detained under Act 14 of 1982. The ground case was registered in Crime No.334 of 2024 under Sections 294(b), 353, 307, 506(ii) IPC read with Section 25(1-a) of the Arms Act, 1959. The detenu Mr.Sathiyaraj @ Seerkazhi Sathya, S/o Rajangam was an absconding accused and had attacked the police personnel and gun firing was made against him by the police and the detenu suffered bullet injury on his left leg. Initially he was admitted at Stanley Government Hospital for immediate treatment. Pursuant to the orders of this Court in W.P.No.18114 of 2024



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dated 02.07.2024, the detenu was permitted to take speciality treatment at Apollo Speciality Hospital at Chennai. When he was admitted in Apollo Hospital, H.C.P.No.1716 of 2024 was filed challenging the detention order dated 11.07.2024. This Court, taking note of the fact that the detenu sustained bullet injury and was taking treatment in Apollo Hospital, formed an opinion that there is no likelihood of causing immediate breach of public order, and granted the relief by quashing the detention order by imposing the following conditions:-

“(i) The detenu Mr.Sathiyaraj @ Seerkazhi Sathya, S/o Rajangam must appear before the learned Judicial Magistrate cum District Munsif, Thirukazhukundram, Chengalpet District everyday at 10.30 a.m., from the next day of his discharge from Apollo Hospital, Chennai. During Court holidays including Saturdays and Sundays, the detenu Mr.Sathiyaraj @ Seerkazhi Sathya, S/o Rajangam is directed to appear before Thirukazhukundram Police Station, Chengalpattu District at 10.30 a.m.

(ii) The detenu Mr.Sathiyaraj @ Seerkazhi Sathya, S/o Rajangam shall not leave the territorial jurisdiction of Thirukazhukundram Police Station, Chengalpattu District without providing prior information to the Inspector of Police,



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Thirukazhukundram Police Station, Chengalpattu District.

(iii) The Police Authorities/Department is directed to conduct surveillance of the conduct of the detenu with reference to the sworn affidavit filed by him before this Court and generally about his conduct in the society. In the event of any violation of the sworn affidavit filed or his involvement in any crime is identified, the Police Authorities shall initiate appropriate actions and if required invoke Act 14 of 1982.

(iv) The detenu Mr.Sathiyaraj @ Seerkazhi Sathya, S/o Rajangam is directed to comply the above conditions for a period of two months from the date of discharge from the Apollo Hospital, Chennai.”

3. This Court allowed H.C.P.No.1716 of 2024 on 20.09.2024. The learned Additional Public Prosecutor would submit that the detenu Mr.Sathiyaraj @ Seerkazhi Sathya, S/o Rajangam was discharged from the Apollo Hospital on 11.10.2024. By securing instructions from the police authorities, the learned Additional Public Prosecutor would submit that the detenu has not complied with any of the conditions imposed by this Court even after discharge from the Apollo Hospital. He has not moved this Court



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during the relevant point of time. Contrarily the detenu, by not complying with the conditions, is staying somewhere at Chennai. He has not even gone to Thirukazhukundram nor complied with the conditions.

4. When the detenu has not respected the order of this Court, he deserves no further leniency from the hands of this Court. Since for the past 1½ months, the detenu failed to comply any of the conditions imposed by this Court in order dated 20.09.2024 in H.C.P.No.1716 of 2024, we are not inclined to entertain the present petition seeking extension of time and consequently, we recall our order dated 20.09.2024 passed in H.C.P.No.1716 of 2024 and restore the order of detention dated 11.07.2024 issued by the second respondent. The police authorities shall detain the detenu in prison as per the detention order dated 11.07.2024 and provide medical treatment in any of the Government Hospitals.

5. Accordingly, the criminal miscellaneous petition stands dismissed.

(S.M.S.,J.) (M.J.R.,J.)
18.11.2024

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