

(2006) 03 MAD CK 0155

Madras High Court

Case No: H.C.P. No. 1300 of 2005

Kandeeban

APPELLANT

Vs

The State of Tamil Nadu

RESPONDENT

Date of Decision: March 20, 2006

Hon'ble Judges: P. Sathasivam, J; J.A.K. Sampathkumar, J

Bench: Division Bench

Advocate: R. Thanjan, for the Appellant; Abudhukumar Rajarathinam, Government Advocate, for the Respondent

Final Decision: Dismissed

Judgement

@JUDGMENTTAG-ORDER

P. Sathasivam, J.

The petitioner by name Kandeeban, who was detained as a "Goonda" as contemplated under the Tamil Nadu Prevention of Dangerous Activities of Bootleggers, Drug Offenders, Forest Offenders, Goondas, Immoral Traffic Offenders, Slum Grabbers and Video Pirates Act, 1982 (Tamil Nadu Act 14 of 1982), by the impugned detention order dated 13.09.2005, challenges the same in this Petition.

2. Heard learned counsel for the petitioner as well as learned Government Advocate for the respondents.

3. At the foremost, learned counsel for the petitioner by taking us through several documents available at pages 3, 4, 71 etc of the paper book supplied to the detenu contended that the translation was not effected properly, which affected the detenu in making effective representation. In the light of the said contention, we verified all those pages and we are satisfied that there is no substance in the contention. On the other hand, if we read the whole paragraph, there cannot be any defect in the translation as claimed by the learned counsel for the petitioner.

4. The learned counsel for the petitioner has further submitted that the detenu was not supplied with the copy of the complaint. Admittedly, the petitioner was supplied the copy of the FIR and the statement made by the complainant. In such circumstances, this contention is liable to be rejected.

5. Finally, the learned counsel for the petitioner has submitted that though the ground case said to have taken place at 8.00 p.m., the detenu was taken to the Police Station within half an hour, which is impossible. It is seen from the materials placed that the ground case said to have taken place at Mandavelipakkam and the detenu was taken to the nearby Foreshore Estate Police Station. Considering the fact that Mandavelipakkam and Foreshore Estate Police Station are adjoining each other, the contention of the learned counsel for the petitioner is liable to be rejected.

6. In the light of what is stated above, we do not find any valid ground for interference. Accordingly, the Habeas Corpus petition fails and the same is dismissed.