

State of T. N.,

Vs

R. Arasu

Criminal Appeal No. 397 of 1994

(G. N. Ray, G. B. Pattanaik JJ)

04.11.1997

ORDER

1. In this appeal the appellant State of Tamil Nadu is aggrieved only to the extent of direction of paying compensation by it for a sum of Rs. 25,000 because the detention order was passed without considering all the relevant materials. The learned counsel for the appellant has submitted that such direction was not warranted because the Court has specifically come to the finding that the sponsoring authority was responsible in not furnishing all the relevant materials before the detaining authority but furnished incorrect (if not false) information to the detaining authority on the basis of which the order of detention had been passed. It has been contended by the learned counsel for the appellant that in view of such finding it was not at all justified that any direction to pay compensation by the appellant should be made. In our view there is force in such contention. We, therefore, allow this appeal so far as it directs the payment of compensation by the appellant. With such modification in the impugned order, this appeal is disposed of.