

ABSTRACT

A CRITICAL STUDY OF PREVENTIVE DETENTION LAWS IN INDIA

***BHAKTI PAREKH**

Preventive Detention means detaining somebody who is expected to commit a crime in the future. By detaining such a person, an attempt is made to prevent the crime or offence from happening. In this paper, the meaning of preventive detention has been discussed in detail. Further, the difference between preventive detention and punitive detention has also been discussed. The history and evolution of the preventive detention laws is studied to understand the laws and the objectives behind such laws. The importance of the preventive detention laws is also discussed in some detail. The judicial perspective on preventive detention laws has changed over time. An attempt has been made to understand the perspective of the judiciary by analysing various landmark cases that deal with preventive detention laws. Cases from ADM Jabalpur which is considered to be the dark hour of the Indian judiciary to other cases which portray that preventive detention is a necessary evil but should be practiced with checks and balances. An effort has been made to critically study the preventive detention laws in India.