

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 01.04.2016

CORAM

THE HONOURABLE MR. JUSTICE S.NAGAMUTHU

AND

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

HCP.No.3251/2015

Ali Basha

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Petitioner

Vs

1.The Commissioner of Police
Salem, Salem District.

2.The Secretary to Government
Department of Co Operation,
Food and Consumer Protection
Secretariat
Fort St.George
Chennai 600 009.

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Respondents

Petition filed under Article 226 of the Constitution of India praying for a writ of Habeas Corpus calling for the records of the detention order in C.M.P.No.3/Black Marketer/Salem City/2015 dated 18.12.2015 (CS) dated 18.12.2015 made under Section 3(1), r/w 3(2)(a) of the Prevention of Black Marketing and Maintenance of Supplies of Essential Commodities Act 1980 (Central Act 7 of 1980) passed by the 1st respondent, the Commissioner of Police, Salem City to set aside the detention order and direct the respondent to produce the detenu Sheik Farith, S/o Kadher Oli before this Court and set him at liberty, who is confined in Salem Central Prison at Salem.

For Petitioner	:	Mr.Dalit Tiger C.Ponnusamy
For Respondents	:	Mr.A.N.Thambi Durai
		Addl.Public Prosecutor for R1
		Mr.D.Sivaram Kumar
		Govt.Advocate [crl.side] for R2

ORDER

[Order of the court was delivered by S.NAGAMUTHU, J.]

The petitioner, who is the brother of the detenu, viz., Sheik Farith, son of Kadher Oli, aged 30 years, has come forward with this petition challenging the detention order passed by the 1st respondent dated 18.12.2015 against his brother branding him as a "Black Marketer" under the Tamil Nadu Prevention of Dangerous Activities of Bootleggers, Drug Offenders, Forest Offenders, Goondas, Immoral Traffic Offenders, Sand Offenders, Slum Grabbers and Video Pirates Act, 1982 [Tamil Nadu Act 14 of 1982].

2.The learned Additional Public Prosecutor would submit that the order of detention passed by the 1st respondent as against the brother of the petitioner dated 18.12.2015 has been revoked by the Government in G.O. [Rt] No.64 dated 04.02.2016 and he has also produced a copy of the said order.

3. Recording the submission of the learned Additional Public Prosecutor, this petition is dismissed as infructuous.

[S.N.,J.] [M.K.K.S.,J.]
01.04.2016

Index : Yes / No

gms

To

1.The Commissioner of Police
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2.The Secretary to Government
Department of Co Operation,
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Secretariat
Fort St.George
Chennai 600 009.

4.The Public Prosecutor,
High Court, Chennai.

S.NAGAMUTHU,J.

AND
K.KALYANASUNDARAM, J.,

gms

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