

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.11.2016

CORAM

THE HON'BLE MR.JUSTICE M.JAICHANDREN
and
THE HON'BLE MR.JUSTICE S.BASKARAN

H.C.P.No.1049 of 2016

Thesamal

.. Petitioner

Vs

1.State of Tamil Nadu
represented by the Secretary to Government
Home, Prohibition & Excise Department
Fort St. George
Chennai-9.

2.The Commissioner of Police
Chennai Police, Vepery
Chennai.

.. Respondents

Prayer: Petition is filed under Article 226 of the Constitution of India, praying to issue a WRIT OF HABEAS CORPUS to call for the records in connection with the order of detention passed by the second respondent dated 16.02.2016 in Proceedings No.119/BCDFGISSSV/2016, under the Tamil Nadu Act 14 of 1982 and to set aside the same and to direct the respondents to produce the son of the petitioner, namely, Sekar @ Raja Sekar, Son of Rajendran, aged about 23 years, the detenu, now confined in the Central Prison, Puzhal, Chennai, before this Court and set him at liberty.

For Petitioner : M/s.K. Thenrajan

For Respondents : Mr.V.M.R.Rajentren,

Additional Public Prosecutor

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ORDER

(Order of the Court was made by **M.JAICHANDREN,J.**)

This Habeas Corpus Petition has been filed, by the mother of the detenu, namely, Sekar @ Raja Sekar, Son of Rajendran, aged about 23 years, praying that this Court may be pleased to issue a Writ of Habeas Corpus, to call for the records, in No.119/BCDFGISSSV/2016, dated 16.02.2016, passed by the second Respondent, detaining the detenu, under Section 3(1) of 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), branding him as a “Goonda”, in the Central Prison, Puzhal, Chennai, and to quash the same and to direct the Respondents to produce the body of the detenu and to set him at liberty forthwith.

2. At this stage of the hearing of the Habeas Corpus Petition, the learned Additional Public Prosecutor, appearing on behalf of the respondents would submit that the order of detention passed by the second respondent, against the son of the petitioner, dated 16.02.2016, has been revoked by the Government, in G.O. Rt. No.2318, Home, Prohibition and Excise (X)

Department, dated 19.5.2016 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.

(M.J.,J.) (S.B.,J.)
04.11.2016

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To

- 1.The Secretary to Government
Home, Prohibition & Excise (XVI) Department
Secretariat, Chennai-9.
- 2.The Commissioner of Police
Greater Chennai
Vepery, Chennai-7.
- 3.The Public Prosecutor,
High Court, Madras.

M.JAICHANDREN,J.
and
S.BASKARAN, J.

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