

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.11.2016

CORAM

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

H.C.P.No.1187 of 2016

Murugan

... Petitioner

Vs

1. The State of Tamil Nadu,
rep by the Secretary to the Government,
Home, Prohibition and Excise Department,
Fort St. George, Chennai-600 009.

2. The Commissioner of Police,
The Commissioner Office,
Vepery, Chennai-600 007.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying to issue a WRIT OF HABEAS CORPUS to call for the records relating to the detention order in Memo No.495/BCDFGISSSV/2016, dated 28.4.2016 passed by the second respondent and set aside the same and to direct the respondent to produce the petitioner's son Praba @ Prabakaran, son of Murugan, aged about 23 years, now confined at the Central Prison, Puzhal, Chennai, before this court and to set him at liberty.

For Petitioner : Mr.D.Gopikrishnan

For Respondents : Mr.V.M.R.Rajentren,
Additional Public Prosecutor

ORDER

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

This Habeas Corpus Petition has been filed, by the father of the detenu, namely, Praba @ Prabakaran, aged about 23 years, son of Murugan, praying that this Court may be pleased to issue a Writ of Habeas Corpus, to call for the records, in No.495/BCDFGISSSV/2016, dated 28.4.2016, 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 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that the order of detention passed by the second respondent, against the son of the petitioner, dated 28.4.2016, has been revoked by the Government, in G.O. Rt. No.2913, Home, Prohibition and Excise (XIII) Department, dated 30.6.2016 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.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

vvk
To

1. The Secretary,
The State of Tamil Nadu,
Home, Prohibition and Excise Department,
Fort St. George, Chennai-600 009.
2. The Commissioner of Police,
The Commissioner Office,
Vepery, Chennai 600 007.
3. The Superintendent,
Central Prison,
Puzhal, Chennai.
4. The Joint Secretary to Government,
Public(Law & Order),
Fort Saint George, Chennai - 9.
5. The Public Prosecutor,
High Court, Madras.

H.C.P.No.1187 of 2016

NM(CO)
CA(05/01/2017)