

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.11.2016

CORAM

THE HON'BLE MR.JUSTICE M.JAICHANDREN
and
THE HON'BLE MR.JUSTICE P.VELMURUGAN

H.C.P.No.1248 of 2016

Kathir @ Kathirvel

... Petitioner

Vs

1. The State of Tamil Nadu,
represented by the Secretary to the Government,
Home, Prohibition and Excise Department,
Secretariat, Fort St. George, Chennai.
2. The Commissioner of Police,
Chennai Police,
Office of the Commissioner of Police,
Egmore, Chennai.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying to issue a WRIT OF HABEAS CORPUS, holding the impugned order of detention passed in 429/BDFGISSSV/2016, dated 13.4.2016, as highly arbitrary, illegal and unconstitutional and to direct the respondents to produce the body of the detenu, namely Kathir @ Kathirvel, aged 36 years, son of Murugesan, presently confined in the Central Prison, Puzhal-II, Chennai, before this court and to set him at liberty and to call for the records pertaining to the order of detention passed by the second respondent and to set aside the same.

For Petitioner : Mr.H.Maruthi Raj

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

WEB COPY

ORDER

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

This Habeas Corpus Petition has been filed, by the detenu, namely, Kathir @ Kathirvel, aged about 36 years, son of Murugesan, praying that this Court may be pleased to issue a Writ of Habeas Corpus, to call for the records, in No.429/BCDFGISSSV/2016, dated 13.4.2016, 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 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would submit that the order of detention passed by the second respondent, against the detenu, dated 13.4.2016, has been revoked by the Government, in G.O. Rt. No.2881, Home, Prohibition and Excise (X) 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 IV)

//True Copy//

Sub Assistant Registrar

vvk
To

1. The Secretary,
State of Tamil Nadu,
Home, Prohibition and Excise Department,
Fort St. George, Chennai-600 009.
2. The Commissioner of Police,
Chennai Police,
Office of the Commissioner of Police,
Egmore, Chennai.
3. The Superintendent,
Central Prison,
Puzhal II, Chennai.
4. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.T.Maruthiraj, Advocate, S.R.No.71333

H.C.P.No.1248 of 2016

AK(CO)
CA(09/01/2017)