

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 23.12.2016

CORAM

THE HON'BLE Mr.JUSTICE M.JAICHANDREN
and
THE HON'BLE Mr.JUSTICE T.MATHIVANAN

H.C.P.No.1398 of 2016

Settu

.. Petitioner

Vs

1. The Secretary to the Government,
Home, Prohibition and Excise Department,
Fort St. George, Chennai-600 009.

2. The Commissioner of Police,
Salem City,
Salem.

... Respondents

Petition filed under Article 226 of the Constitution of India, praying to issue a WRIT OF HABEAS CORPUS to call for the records in detention order C.M.P.No.41/Goonda/Salem City/2016 dated 18.06.2016, on the file of the 2nd respondent and quash the same and direct the respondents herein to produce the body of petitioner son Prakash aged about 22 years, S/o. Settu the detenu now confined in Central Prison, Salem.

For Petitioner : Mr.R.Thirumoorthy

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

O R D E R

This Habeas Corpus Petition has been filed, by the mother of the detenu, namely, Prakash, S/o.Settu, aged about 22 years, praying that this Court may be pleased to issue a Writ of Habeas Corpus, to call for the records, in C.M.P.No.41/Goonda/Salem City/2016, dated 18.06.2016, 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, Salem 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that the order of detention passed by the second respondent, against the son of the petitioner, dated 18.06.2016, has been revoked by the Government, in G.O.Rt.No.3639, Home, Prohibition and Excise (XIV) Department, dated 08.08.2016 and he has also produced a copy of the said order.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/d-
Assistant Registrar (CS-VI)

//True Copy//

Sub-Assistant Registrar

To

1. The Secretary to the Government,
Home, Prohibition and Excise Department,
Fort St. George,
Chennai-600 009.
2. The Commissioner of Police,
Salem City,
Salem.
3. The Superintendent, Central Prison, Salem
4. The Joint Secretary to Government,
Public(Law & Order), Fort.st.George, Chennai-9
5. The Public Prosecutor,
High Court, Madras.

सत्यमेव जयते

H.C.P.No.1398 of 2016

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