

IN THE HIGH COURT OF JUDICIATURE 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.2699 of 2016  
and CRL.M.P.No.14122 of 2016

P.I.Thomas ... Petitioner

Vs

Office of the Joint Director,  
Directorate of Enforcement,  
Murugesan Naicker Complex,  
Greens Road,  
Chennai-6. ... Respondent

Petition filed under Article 226 of the Constitution of India for issuance of Writ of Habeas Corpus to direct the respondent to produce the body of the detainee Mr.C.C.Thampi, aged about 60 years and set him at liberty forthwith.

For Petitioner:Mr.Mohan Parasaran,  
Senior Counsel for  
Mr.A.Sasidharan  
For Respondent:Mr.G.Rajagopalan,  
Addl. Solicitor General of India  
Assisted by M/S.G.Hema, CGSC

O R D E R

[Delivered by M.JAICHANDREN, J.]

This petition has been filed praying that this Court may be pleased to direct the respondent to produce the detenu, C.C.Thampi, aged about 60 years and to set him at liberty.

2.Heard Mr.Mohan Parasaran, learned Senior Counsel, appearing on behalf of the petitioner, as well as Mr.G.Rajagopalan, learned Additional Solicitor General of India, assisted by Ms.G.Hema, Central Government Standing Counsel, appearing on behalf of the respondent.

3. It has been stated that the detenu is a business man, who had landed at Chennai, from Singapore. The officers of the Enforcement Directorate had initiated proceedings against the detenu, based on the summons issued, on 13.12.2016, under Sections 37[1] and [3] of the Foreign Exchange Management Act, 1999, read with Section 131[1] of the Income Tax Act, 1961 and Section 30 of The Code of Civil Procedure, 1908.

4. It has been further stated that the detenu had landed at Chennai, to proceed to Vellore, to see his sister, who was seriously ill. However, she had passed away, today, i.e., on 23.12.2016. The detenu had been taken for an enquiry by the respondent-Enforcement Directorate. The petitioner, who is the Manager of the business, being run by the detenu, had filed the Habeas Corpus Petition, as a next friend, praying that this Court may be pleased to direct the respondent to produce him before this Court and to set him at liberty, to enable him to participate in the last rites of his sister, namely, Mrs.Lizzy Babu, at Vellore.

5. At this stage of the hearing of the Habeas Corpus Petition, Mr.G.Rajagopalan, learned Additional Solicitor General of India had submitted that the detenu had been allowed to go, after the enquiry had been conducted, pursuant to the summons issued to him, dated 13.12.2016. Mr.Mohan Parasaran, learned Senior Counsel, had submitted that he has been informed that the detenu had been permitted to go, as per his original plan, to visit Vellore, after the respondent-Enforcement Directorate had conducted an enquiry. Under such circumstances, as no further orders are necessary, the Habeas Corpus Petition stands closed. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

To

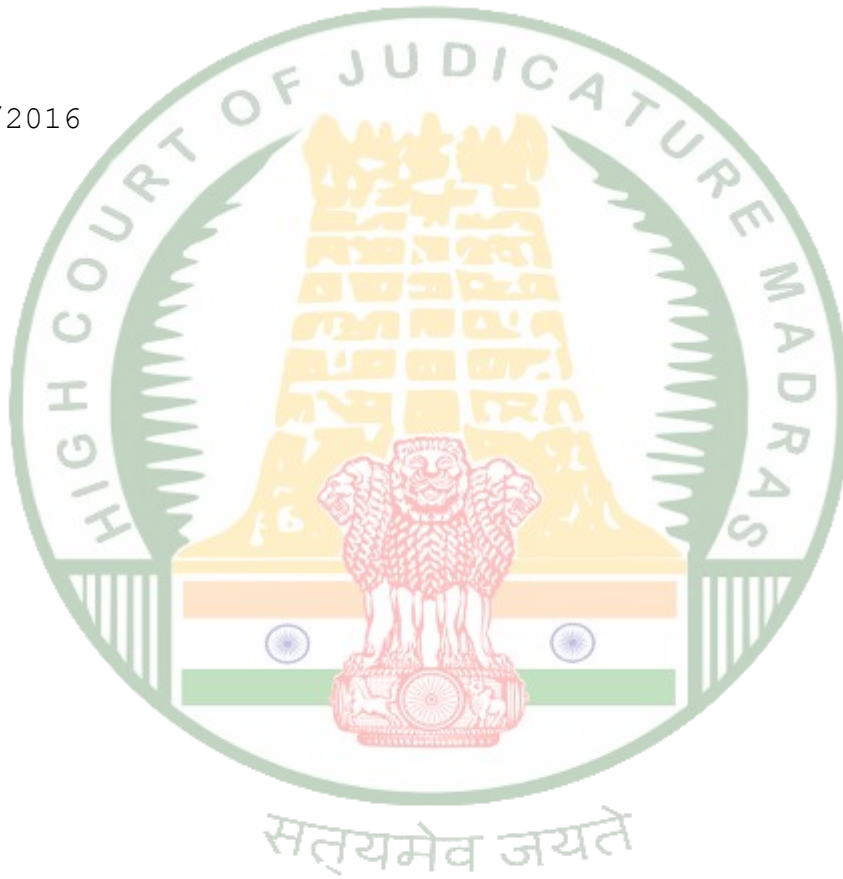
1.The Joint Director,  
Directorate of Enforcement,  
Murugesan Naicker Complex,  
Greens Road,  
Chennai-6.

2.The Additional Solicitor,  
General of India,  
High Court, Madras-104.

+2cc to Mr.A.Sasidharan, Advocate Sr.76127

H.C.P.No.2699 of 2016  
and  
CRL.M.P.No.14122 of 2016

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srg 26/12/2016



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