

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.01.2017

CORAM

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

H.C.P.No.1546 of 2016

V.Usha ... Petitioner

Vs

1. The Commissioner of Police,  
Chennai District,  
Chennai.
2. The Secretary to Government,  
Home, Prohibition and Excise Department,  
Government of Tamil Nadu,  
Fort St. George,  
Chennai-600 009. ... 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 of the first respondent, in No.637/BCDFGISSSV/2016, dated 4.7.2016 and to set aside the same and to direct the first respondent to produce the detenu V.Vimal Kumar, son of G.Vijayan, aged 26 years, now confined in the Central Prison, Puzhal, Chennai, before this Court and to set him at liberty.

For Petitioner : Mr.C.D.Johnson

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

ORDER

This Habeas Corpus Petition has been filed, by the mother of the detenu, namely, Vimal Kumar, aged about 26 years, son of Vijayan, praying that this Court may be pleased to issue a Writ of Habeas Corpus, to call for the records, in No.637/BCDFGISSSV/2016, dated 4.7.2016, passed by the first 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.

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that the order of detention passed by the first respondent, against the son of the petitioner, dated 4.7.2016, has been revoked by the Government, in G.O. Rt. No.3685, Home, Prohibition and Excise (XIII) Department, dated 9.8.2016 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(CO)

//True Copy//

Sub-Assistant Registrar

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,  
Chennai District,  
Chennai.
3. The Public Prosecutor,  
High Court, Madras.
4. The Joint Secretary to Government, Publi(Law & Order)  
Fort.St. George, Chennai-9

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NM(CO)  
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