

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.01.2017

CORAM

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

H.C.P.No.1579 of 2016

Manikandan ... Petitioner

Vs

- 1.The Secretary to the Government,
Home, Prohibition and Excise Department,
Secretariat,
Chennai-600 009.
- 2.The Commissioner of Police,
Greater Chennai Police. ... 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 in connection with the order of detention passed by the second respondent, dated 16.7.2016, in Memo No.716/BCDFGISSSV/2016, against the petitioner's friend, Khan @ Jayaganesh, aged 25 years, son of Balasubramaniam, confined in the Central Prison-II, Puzhal, Chennai and to set aside the same and to direct the respondents to produce the detenu before this court and to set him at liberty.

For Petitioner : Mr.S.Senthilvel
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 friend of the detenu, namely, Khan @ Jayaganesh, aged about 25 years, son of Balasubramaniam, praying that this Court may be pleased to issue a Writ of Habeas Corpus, to call for the records, in No.716/BCDFGISSSV/2016, dated 16.7.2016, 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that the order of detention passed by the second respondent, against the friend of the petitioner, dated 16.7.2016, has been revoked by the Government, in G.O. Rt. No.4129, Home, Prohibition and Excise (X) Department, dated 31.8.2016 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.

Sd/-
Assistant Registrar

//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,
Greater Chennai Police.
- 3 The Superintendent of Central Prison, Chennai 66
- 4.The Public Prosecutor,
High Court, Madras.

ssi (CO)
md(09/02/2017)

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