

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.02.2017

CORAM

THE HONOURABLE MR.JUSTICE M.JAICHANDREN

and

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

H.C.P.No.1645 of 2016

K.Chithra ... Petitioner

Vs.

- 1.The Government of Tamilnadu,
rep by its Principal Secretary,
Home, Prohibition and Excise (XVI) Department,
Fort St. George,
Chennai-600 009.
- 2.The District Collector and
District Magistrate,
Coimbatore. ... 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 Cr.M.P.No.18/G/2016/E1, dated 17.7.2016, on the file of the second respondent and quash the same and to direct the respondents to produce the body of the petitioner's husband Kumar @ Koolaikumar, son of Maruthaiyan, aged 41 years, confined in the Central Prison, Coimbatore, before this court and to set him at liberty.

For Petitioner : Ms.R.Subhadra Devi
For Respondents : Mr.V.M.R.Rajentren,
Additional Public Prosecutor for R1

ORDER

[Order of the Court was made by M.JAICHANDREN, J.]

This Habeas Corpus Petition has been filed by the wife of the detenu, namely, Kumar @ Koolai Kumar, aged about 41 years, son of Maruthaiyan, to issue a Writ of Habeas Corpus, to call

for the records, in Cr.M.P.No.18/G/2016/E1, dated 17.7.2016, 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, Coimbatore, 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, had submitted that the detenu had expired, on 6.1.2017 and therefore, the present Habeas Corpus Petition has become infructuous. He has also placed before this court a copy of the communication issued by the Superintendent of Prisons, Central Prison, Coimbatore, dated 18.1.2017, to that effect.

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 Principal Secretary,
The Government of Tamilnadu,
Home, Prohibition and Excise (XVI) Department,
Fort St. George,
Chennai-600 009.
- 2.The District Collector and
District Magistrate,
Coimbatore.
- 3 The Superintendent of Central Prison, Coimbatore
- 4.The Public Prosecutor, High Court, Madras.

rp(CO)
md(22/02/2017)

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