

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.02.2017

CORAM

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

H.C.P.No.1654 of 2016

Umar @ Umar Batcha ..Petitioner/Dependent

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 22.7.2016 in memo No.758/BCDFGISSSV/2016, against the detenu Umar @ Umar Batcha, aged 25 years, son of Ajish, who is confined at the Central Prison-II, Puzhal, Chennai and to set aside the same and consequently, to direct the respondents to produce the detenu before this Court and 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 detenu, namely, Umar @ Umar Batcha, aged about 25 years, son of Ajish, praying that this Court may be pleased to issue a Writ of Habeas Corpus, to call for the records, in No.758/BCDFGISSSV/2016, dated 22.7.2016, 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 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would submit that the order of detention passed by the second respondent, against the detenu, dated 22.7.2016, has been revoked by the Government, in G.O. Rt. No.4830, Home, Prohibition and Excise (XIII) Department, dated 6.10.2016 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(CS II)

//True Copy//

Sub Assistant Registrar

vvk

To

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

2.The Commissioner of Police,
Greater Chennai Police.

3. The Superintendent, Central Prison,
Puzhal, Chennai-66.

4. The Joint Secretary to Government,
Public(Law & Order),
Fort Saint George, Chennai - 9.

5.The Public Prosecutor,
High Court, Madras.

H.C.P.No.1654 of 2016

ALA (CO)

Eu 23.2.17