

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.03.2017

CORAM

THE HON'BLE MR.JUSTICE S.NAGAMUTHU

and

THE HON'BLE DR.JUSTICE ANITA SUMANTH

H.C.P.No.1837 of 2016

Rafiq ... Petitioner

versus

1. The State of Tamil Nadu,
Rep. by its Secretary to Government,
Home, Prohibition and excise Department,
Chennai-600 009.

2. The Commissioner of Police,
Vepery, Chennai-600 007. ... Respondents

Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Habeas Corpus, to call for the records relating to the detenu's detention order passed by the second respondent in his order No.812/BCDFGISSSV/2016 dated 30.07.2016 approved by the first respondent and set aside the same and produce the detenu Rafiq, Male, aged about 31 years, S/o.Samsudeen, now detained in Central Prison, Chennai, before this Hon'ble Court and set him at liberty.

For Petitioner : Mr.B.Veeraragavan

For Respondents : Mr.V.M.R.Rajentren

Additional Public Prosecutor

O R D E R

[Order of the Court was made by S.NAGAMUTHU, J.]

This Habeas Corpus Petition has been filed by the detenu to issue a Writ of Habeas Corpus, to call for the records connected with the detention order of the second respondent, in Memo No.812/BCDFGISSSV/2016, dated 30.07.2016, detaining the detenu, namely, Rafiq, aged about 31 years, son of Samsudeen, under Section 3(1) of the Tamil Nadu Prevention of Dangerous Activities of Bootleggers, Cyber Law Offenders, Drug Offenders, Forest Offenders, Goondas, Immoral Traffic Offenders, Sand Offenders, Sexual Offenders, Slum Grabbers and Video Pirates

Act, 1982 (Tamil Nadu Act 14/1982), branding him as a "Goonda" as contemplated u/s 2(f) of the Tamil Nadu Act 14 of 1982, and to set aside the same and to direct the respondents to produce the detenu before this Court and set him at liberty.

2. The learned Additional Public Prosecutor would submit that the order of detention passed by the second respondent as against the petitioner dated 30.07.2016 has been revoked by the Government in G.O.Rt.No.4641, dated 28.09.2016 and he has also produced a copy of the said order.

3. Recording the submission of the learned Additional Public Prosecutor, the Habeas Corpus Petition is dismissed as infructuous.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

sri / abr
To

- 1.The Secretary,
Government of Tamil Nadu,
Home, Prohibition and excise Department,
Chennai-600 009.
- 2.The Commissioner of Police,
Vepery, Chennai-600 007.
- 3.The Additional Public Prosecutor
High Court, Madras.
- 4 The Superintendent of Central Prison,
Puzhal, Chennai

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KJI(CO)
md(06/04/2017)

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