

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.01.2019

CORAM:

THE HONOURABLE Mr.JUSTICE C.T.SELVAM
and
THE HONOURABLE Mrs.JUSTICE R.HEMALATHA

H.C.P.No.2042 of 2018

S.Prabakaran

... Petitioner

-Vs-

1.The State of Tamilnadu rep by,
Secretary to Government,
Home, Prohibition and Excise Department,
Fort St.George, Chennai - 600 009.

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

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, calling for the records in BCDFGISSSV No.695/2018 dated 11.08.2018 on the file of the second respondent herein to set aside the same and direct the respondents to produce the detenue i.e. the body of S.Balaguru, S/o.Sakthivel, male aged about 31 years, the detenu detained under Act 14 of 1982 now confined in Central Prison, Puzhal, Chennai before this Hon'ble Court and set him at liberty.

For Petitioner : Mr.R.Vinayaga Vishnu

For Respondents: Mr.R.Prathap Kumar
Additional Public Prosecutor

ORDER

[Order of the Court was made by C.T.SELVAM, J.]

The petitioner, who is the brother of the detenu herein, viz., Balaguru, son of Sakthivel, aged 31 years, has come forward with this petition challenging the detention order passed by the second respondent by his order in BCDFGISSSV No.695/2018, dated 11.08.2018 against his brother branding him as a "GOONDA" under 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].

2. The learned Additional Public Prosecutor would submit that the order of detention passed by the second respondent as against the brother of the petitioner herein dated 11.08.2018 has been revoked by the Government in G.O.Rt.No.4185, Home, Prohibition & Excise [X] Department dated 28.09.2018 and he has also produced a copy of the said order.

3. Recording the submission of the learned Additional Public Prosecutor, this Habeas Corpus Petition is closed as the same has become infructuous.

Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

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To

- 1.The Secretary to Government,
Home, Prohibition and Excise Department,
Fort St.George, Chennai - 600 009.
2. The Commissioner of Police,
Greater Chennai.
Vepery, Chennai - 600 007.
- 3.The Public Prosecutor,
High Court, Madras.
4. The Superintendent of Central Prison,
puzhal, chennai-66.

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GN(13/02/2019)