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H.C.P.No.465 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.03.2023

CORAM

THE HONOURABLE MR.JUSTICE M.SUNDAR
and

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

H.C.P.No.465 of 2023

Vijayamani
W/o.Selvakumar

.. Petitioner

Vs.

1. State of Tamil Nadu
Rep. by the Secretary
Home, Prohibition and Excise Department
Fort St.George
Chennai-600 009.

2. The Commissioner of Police / Detaining Authority
Coimbatore City
Coimbatore.

3. The Superintendent of Prison
Central Prison, Coimbatore
Coimbatore District.

4. The Inspector of Police
B-2, R.S.Puram Police Station
Coimbatore.

.. Respondents

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H.C.P.No.465 of 2023

Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of habeas corpus to call for the records relating to the detention order vide Memo C.No.11/G/IS/2023 dated 17.02.2023, passed by the second respondent and quash the same and direct the respondents herein to produce the petitioner's husband namely, S.Selvakumar @ Kumar, son of Sadaiyan, aged 39 years, (who is presently under going detention in the Central Prison, Coimbatore, before this Hon'ble Court and set him at liberty.

For Petitioner : Mr.P.Narayana Prasadh
For Respondents : Mr.R.Muniyapparaj
Additional Public Prosecutor
assisted by
Mr.M.Sylvester John, Advocate

ORDER

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

When the matter was taken up for hearing, Mr.P.Narayana Prasadh, learned counsel on record for petitioner and Mr.R.Muniyapparaj, learned State Additional Public Prosecutor assisted by Mr. Mr.M.Sylvester John, learned counsel who accepted notice for the respondents are before us.

2. Learned Prosecutor submitted that the impugned preventive detention order has since been revoked by the first respondent. Learned Prosecutor has placed before us an order dated 20.03.2023 bearing



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reference G.O.Rt.No.1571 Home, Prohibition and Excise (XII) Department

and a scanned reproduction of the same is as follows:

GOVERNMENT OF TAMIL NADU

HOME, PROHIBITION AND EXCISE DEPARTMENT

G.O. Rt. No. 1571 Dated: 20/03/2023

Subject: (a) (b) (c) (d) (e) (f) (g) (h) (i) (j) (k) (l) (m) (n) (o) (p) (q) (r) (s) (t) (u) (v) (w) (x) (y) (z) (aa) (ab) (ac) (ad) (ae) (af) (ag) (ah) (ai) (aj) (ak) (al) (am) (an) (ao) (ap) (aq) (ar) (as) (at) (au) (av) (aw) (ax) (ay) (az) (ba) (bb) (bc) (bd) (be) (bf) (bg) (bh) (bi) (bj) (bk) (bl) (bm) (bn) (bo) (bp) (bq) (br) (bs) (bt) (bu) (bv) (bw) (bx) (by) (bz) (ca) (cb) (cc) (cd) (ce) (cf) (cg) (ch) (ci) (cj) (ck) (cl) (cm) (cn) (co) (cp) (cq) (cr) (cs) (ct) (cu) (cv) (cw) (cx) (cy) (cz) (da) (db) (dc) (dd) (de) (df) (dg) (dh) (di) (dj) (dk) (dl) (dm) (dn) (do) (dp) (dq) (dr) (ds) (dt) (du) (dv) (dw) (dx) (dy) (dz) (ea) (eb) (ec) (ed) (ee) (ef) (eg) (eh) (ei) (ej) (ek) (el) (em) (en) (eo) (ep) (eq) (er) (es) (et) (eu) (ev) (ew) (ex) (ey) (ez) (fa) (fb) (fc) (fd) (fe) (ff) (fg) (fh) (fi) (fj) (fk) (fl) (fm) (fn) (fo) (fp) (fq) (fr) (fs) (ft) (fu) (fv) (fw) (fx) (fy) (fz) (ga) (gb) (gc) (gd) (ge) (gf) (gg) (gh) (gi) (gj) (gk) (gl) (gm) (gn) (go) (gp) (gq) (gr) (gs) (gt) (gu) (gv) (gw) (gx) (gy) (gz) (ha) (hb) (hc) (hd) (he) (hf) (hg) (hh) (hi) (hj) (hk) (hl) (hm) (hn) (ho) (hp) (hq) (hr) (hs) (ht) (hu) (hv) (hw) (hx) (hy) (hz) (ia) (ib) (ic) (id) (ie) (if) (ig) (ih) (ii) (ij) (ik) (il) (im) (in) (io) (ip) (iq) (ir) (is) (it) (iu) (iv) (iw) (ix) (iy) (iz) (ja) (jb) (jc) (jd) (je) (jf) (jg) (jh) (ji) (jj) (jk) (jl) (jm) (jn) (jo) (jp) (jq) (jr) (js) (jt) (ju) (jv) (jw) (jx) (jy) (jz) (ka) (kb) (kc) (kd) (ke) (kf) (kg) (kh) (ki) (kj) (kk) (kl) (km) (kn) (ko) (kp) (kq) (kr) (ks) (kt) (ku) (kv) (kw) (kx) (ky) (kz) (la) (lb) (lc) (ld) (le) (lf) (lg) (lh) (li) (lj) (lk) (ll) (lm) (ln) (lo) (lp) (lq) (lr) (ls) (lt) (lu) (lv) (lw) (lx) (ly) (lz) (ma) (mb) (mc) (md) (me) (mf) (mg) (mh) (mi) (mj) (mk) (ml) (mm) (mn) (mo) (mp) (mq) (mr) (ms) (mt) (mu) (mv) (mw) (mx) (my) (mz) (na) (nb) (nc) (nd) (ne) (nf) (ng) (nh) (ni) (nj) (nk) (nl) (nm) (nn) (no) (np) (nq) (nr) (ns) (nt) (nu) (nv) (nw) (nx) (ny) (nz) (oa) (ob) (oc) (od) (oe) (of) (og) (oh) (oi) (oj) (ok) (ol) (om) (on) (oo) (op) (oq) (or) (os) (ot) (ou) (ov) (ow) (ox) (oy) (oz) (pa) (pb) (pc) (pd) (pe) (pf) (pg) (ph) (pi) (pj) (pk) (pl) (pm) (pn) (po) (pp) (pq) (pr) (ps) (pt) (pu) (pv) (pw) (px) (py) (pz) (qa) (qb) (qc) (qd) (qe) (qf) (qg) (qh) (qi) (qj) (qk) (ql) (qm) (qn) (qo) (qp) (qq) (qr) (qs) (qt) (qu) (qv) (qw) (qx) (qy) (qz) (ra) (rb) (rc) (rd) (re) (rf) (rg) (rh) (ri) (rj) (rk) (rl) (rm) (rn) (ro) (rp) (rq) (rr) (rs) (rt) (ru) (rv) (rw) (rx) (ry) (rz) (sa) (sb) (sc) (sd) (se) (sf) (sg) (sh) (si) (sj) (sk) (sl) (sm) (sn) (so) (sp) (sq) (sr) (ss) (st) (su) (sv) (sw) (sx) (sy) (sz) (ta) (tb) (tc) (td) (te) (tf) (tg) (th) (ti) (tj) (tk) (tl) (tm) (tn) (to) (tp) (tq) (tr) (ts) (tt) (tu) (tv) (tw) (tx) (ty) (tz) (ua) (ub) (uc) (ud) (ue) (uf) (ug) (uh) (ui) (uj) (uk) (ul) (um) (un) (uo) (up) (uq) (ur) (us) (ut) (uu) (uv) (uw) (ux) (uy) (uz) (va) (vb) (vc) (vd) (ve) (vf) (vg) (vh) (vi) (vj) (vk) (vl) (vm) (vn) (vo) (vp) (vq) (vr) (vs) (vt) (vu) (vv) (vw) (vx) (vy) (vz) (wa) (wb) (wc) (wd) (we) (wf) (wg) (wh) (wi) (wj) (wk) (wl) (wm) (wn) (wo) (wp) (wq) (wr) (ws) (wt) (wu) (wv) (ww) (wx) (wy) (wz) (xa) (xb) (xc) (xd) (xe) (xf) (xg) (xh) (xi) (xj) (xk) (xl) (xm) (xn) (xo) (xp) (xq) (xr) (xs) (xt) (xu) (xv) (xw) (xx) (xy) (xz) (ya) (yb) (yc) (yd) (ye) (yf) (yg) (yh) (yi) (yj) (yk) (yl) (ym) (yn) (yo) (yp) (yq) (yr) (ys) (yt) (yu) (yv) (yw) (yx) (yy) (yz) (za) (zb) (zc) (zd) (ze) (zf) (zg) (zh) (zi) (zj) (zk) (zl) (zm) (zn) (zo) (zp) (zq) (zr) (zs) (zt) (zu) (zv) (zw) (zx) (zy) (zz)

ORDER

The grounds of detention No. 1571 of the order, T.N. S. Subramanian Q. Kumar and S. Subramanian Q. Kumar, residing at Door No. 50, Amman Road, Subudhi, Kumbakonam Taluk, Kanyakumari District, were placed before the Advisory Board under Section 3 of the Tamil Nadu Prevention of Dangerous Activities of Habituals, Cyber Law Offenders, Drug Offenders, Immoral Traffic, Offenders, Traffic Offenders, Bank Offenders, Fiscal Offenders, Storm-troopers and Vigilantes Act, 1982 (T.N. Act No. 19 of 1982). The Advisory Board viewed the grounds of detention, report of the detaining authority sent to the Government, and all related records and also heard the oral representations of the detenu and his wife Mrs. Viswanthi. The Advisory Board has expressed its unanimous opinion that there is no sufficient reason for the detention of T.N. S. Subramanian Q. Kumar. Accordingly, the Government, in accordance with the provisions of subsection (2) of section 12 of Tamil Nadu, Act No. 19 of 1982, hereby **rescind** the order of detention dated 17/03/2023 made by the Commissioner of Police, Kanyakumari. The detenu, the said T.N. S. Subramanian Q. Kumar and S. Subramanian Q. Kumar, may be released on bail. T.N. S. Subramanian Q. Kumar, male aged 29 years, has the L. Subudhi, residing at Door No. 50, Amman Road, Subudhi, Kumbakonam Taluk, Kanyakumari District, Kanyakumari District, may be released forthwith from detention as there is no sufficient reason to keep him detained, under any other law or a pending criminal case having been conducted by any Court.

S. Narayan
Deputy Secretary to Government

To
The Commissioner of Police, Kanyakumari City of District
T.N. S. Subramanian Q. Kumar, S. Subramanian Q. Kumar, the detenu
The Superintendent, Central Prison, Kanyakumari
2 Copies for records and retained one copy
Copy to:-
The Chennai Advisory Board, Singapore Street, Chennai - 600 011 (3 Copies)
The District-Command of Police, Chennai-3
The Inspector General of Police, Chennai-3
The Superintendent, Central Prison, Kanyakumari

Sd/-
Deputy Secretary to Government



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3. In view of the narrative thus far, captioned Habeas Corpus Petition

is disposed of as closed having become infructuous. There shall be no order as to costs.

(M.S.,J.)

(M.N.K.,J.)

28.03.2023

Index : Yes / No

Speaking / Non-speaking

Neutral Citation : Yes / No

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To

1. State of Tamil Nadu
Rep. by the Secretary
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Fort St.George, Chennai-600 009.
2. The Commissioner of Police / Detaining Authority
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5. The Public Prosecutor
High Court, Madras.

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M.SUNDAR, J.,
and
M.NIRMAL KUMAR, J.,

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