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H.C.P.No.1793 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED : 11.12.2023**

CORAM :

**THE HONOURABLE MR. JUSTICE S.S. SUNDAR**

**AND**

**THE HONOURABLE MR. JUSTICE SUNDER MOHAN**

**H.C.P.No.1793 of 2023**

Sowmiya

... Petitioner

Vs.

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

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

3.The Inspector of Police,  
J-13, Tharamani Police Station,  
Chennai.

4.The Superintendent of Prison,  
Central Prison – II,  
Puzhal, Chennai – 600 066.

... Respondents



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**Prayer** : Habeas Corpus Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Habeas Corpus calling for the records relating to the detention order in Memo No.316/BCDFGIISSSV/2023 dated 14.07.2023 passed by the 2<sup>nd</sup> respondent under the Tamil Nadu Act 14 of 1982 and set aside the same and direct the respondent to produce the petitioner's husband Thiru.Suresh, S/o.Sankar, aged about 23 years, the detenu, now confined in Central Prison, Puzhal, Chennai before this Court and set the petitioner's husband Thiru.Suresh, S/o.Sankar, aged about 23 years the detenu herein at liberty.

|                 |   |                                                                                |
|-----------------|---|--------------------------------------------------------------------------------|
| For Petitioner  | : | Mr.R.Muthukumar                                                                |
| For Respondents | : | Mr.E.Raj Thilak<br>Additional Public Prosecutor<br>assisted by<br>Mr.C.Aravind |

### **ORDER**

(Order of the Court was made by **S.S. SUNDAR, J.**)

The petitioner, wife of the detenu, namely Suresh, S/o.Sankar, aged about 23 years, has come forward with this petition challenging the detention order passed by the 2<sup>nd</sup> respondent dated 14.07.2023 slapped on



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her husband, branding him as "Bootlegger" 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 husband of the petitioner herein dated 14.07.2023 has been revoked by the Government in G.O. [Rt] No.4964, Home, Prohibition & Excise (X) Department, dated 07.09.2023 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 the same has become infructuous.

(S.S.S.R., J.) (S.M., J.)  
11.12.2023

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Internet : Yes

Index : Yes / No

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Neutral Citation : Yes / No

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- 2.The Commissioner of Police,  
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- 3.The Inspector of Police,  
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Chennai.
- 4.The Superintendent of Prison,  
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Puzhal, Chennai – 600 066.
- 5.The Public Prosecutor,  
High Court, Madras.



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**S.S. SUNDAR, J.**  
**and**  
**SUNDER MOHAN, J.**

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