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H.C.P.No.798 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.07.2024

CORAM :

THE HONOURABLE MR. JUSTICE M.S.RAMESH

AND

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

H.C.P.No.798 of 2024

Sathakathulla

... Petitioner/Brother of the detenue
Vs.

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

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

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

4.State rep. by its
The Inspector of Police,
Kuniyamuthur Police Station,
Coimbatore District.

... 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, to call for the entire records, relating to the petitioner's brother detention under Tamil Nadu Act 14 of 1982 vide detention order, dated 20.03.2024 on the file of the 2nd respondent made in proceedings Memo C.No.26/G/IS/2024, quash the same as illegal and consequently direct the respondents herein to produce the petitioner's brother namely I.JAKIR HUSSAIN, S/o.Ismail, aged 49 years before this Hon'ble High Court and set the petitioner's brother at liberty from detention, now the petitioner's brother detained at Central Prison, Coimbatore.

For Petitioner : Mr.W.Camyles Gandhi
For Respondents : Mr.A.Gokulakrishnan
Additional Public Prosecutor

ORDER

M.S.RAMESH, J.
and
SUNDER MOHAN, J.

The petitioner herein is the brother of the detenu viz., I.Jakir Hussain, S/o.Ismail, the detenu, now confined at Central Prison, Coimbatore, has come forward with this petition challenging the detention order passed by



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the second respondent dated 20.03.2024 slapped on his brother, branding him as "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that the order of detention passed by the second respondent as against the petitioner's brother, dated 20.03.2024 has been revoked by the Government in G.O.Rt.No.2572, Home, Prohibition and Excise (XII) Department, dated 30.04.2024 and he has also produced a copy of the said order.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.

[M.S.R., J] [S.M., J]
11.07.2024

Anu

Internet : Yes

Index : Yes / No

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Neutral Citation : Yes / No

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M.S.RAMESH, J.
and
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Anu

- 1.The Secretary to Government,
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- 2.The Commissioner of Police/Detaining Authority,
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- 3.The Superintendent of Police,
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Coimbatore District.
- 4.The Inspector of Police,
Kuniyamuthur Police Station,
Coimbatore District.
- 5.The Public Prosecutor,
High Court, Madras.

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