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H.C.P.No.2211 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.02.2024

CORAM :

THE HONOURABLE MR. JUSTICE M.S.RAMESH

AND

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

H.C.P.No.2211 of 2023

Udhaya

... Petitioner/wife of the detenue

Vs.

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

2.The District Collector and District Magistrate,
Perambalur District,
Perambalur.

3.The Superintendent of Police,
Perambalur,
Perambalur District.

4.The Superintendent of Prison,
Central Prison - Tiruchirappalli,

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Tiruchirappalli District.

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5.State rep. by its
The Inspector of Police,
Perambalur PEW Police Station,
Perambalur District.

... Respondents

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 husband detained under Tamil Nadu Act, 14 of 1982 vide detention order, dated 20.10.2023 on the file of the second respondent herein made in proceedings in Cr.M.P.No.23 of 2023, quash the same as illegal and consequently, direct the respondents herein to produce the petitioner's husband namely Ramesh, S/o.Selladurai, aged 31 years before this Court and set him at liberty from detention, now the petitioner's husband is detained at Central prison, Tiruchirappalli.

For Petitioner : Mr.R.Prathapkumar

For Respondents : Mr.E.Raj Thilak
Additional Public Prosecutor
assisted by
Mr.C.Aravind



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ORDER

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

The petitioner is the wife of the detenu viz., Ramesh, S/o.Selladurai, aged 31 years, detained at Central prison, Tiruchirappalli, has come forward with this petition challenging the detention order passed by the second respondent dated 20.10.2023 slapped on her husband, branding him as "Boot legger" 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that the order of detention passed by the second respondent as against the petitioner herein dated 20.10.2023 has been revoked by the Government in G.O.Rt.No.4890, Home, Prohibition and Excise (XV) Department, dated 08.12.2023 and he has also produced a copy of the said order.



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Prosecutor, this petition is dismissed as the same has become infructuous.

[M.S.R., J] [S.M., J]
26.02.2024

Anu

Internet : Yes

Index : Yes / No

Neutral Citation : Yes / No

To

1.The Secretary to Government,
Home, Prohibition and Excise Department,
Fort St.George, Chennai-9.

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

3.The Superintendent of Prison,
Central Prison, Puzhal,
Chennai-600 066.

4.Inspector of Police,
E-1 Mylapore Police Station,
Chennai.

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5.The Public Prosecutor,
High Court, Madras.



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

Anu

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