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H.C.P.No.2430 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.03.2024

CORAM :

THE HONOURABLE MR. JUSTICE M.S.RAMESH

AND

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

H.C.P.No.2430 of 2023

Pavithra

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

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

4.State Rep. by its
The Inspector of Police,
E-3 Saravanampatty Police Station,
Coimbatore District.

... Respondents

Page 1 of 4



H.C.P.No.2430 of 2023

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 detention under Tamil Nadu Act, 14 of 1982 vide detention order, dated 28.11.2023 on the file of the second respondent herein made in proceedings C.No.77/G/IS/2023, quash the same as illegal and consequently, direct the respondents herein to produce the petitioner's husband namely S.Sivaneshwar @ SRP Siva, S/o.Sankar, aged about 27 years before this Court and set the petitioner's husband at liberty from detention, now the petitioner's husband detained at Central Prison, Coimbatore.

For Petitioner : Mr.W.Camyles Gandhi

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

ORDER

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

The petitioner is the wife of the detenu viz., S.Sivaneshwar @ SRP Siva, S/o.Sankar, aged about 27 years, detained at Central Prison, Coimbatore, has come forward with this petition challenging the detention order passed by the second respondent dated 28.11.2023 slapped on her



H.C.P.No.2430 of 2023

husband, 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that the order of detention passed by the second respondent as against the petitioner's husband, dated 28.11.2023 has been revoked by the Government in G.O.Rt.No.297, Home, Prohibition and Excise (XII) Department, dated 18.01.2024 and he has also produced a copy of the said order.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]
27.03.2024

Anu
Internet : Yes
Index : Yes / No
Neutral Citation : Yes / No



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H.C.P.No.2430 of 2023

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

Anu

To

1.The Secretary to Government,
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Chennai-600 009.

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

3.The Superintendent of Prison,
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Coimbatore District.

4.The Inspector of Police,
E-3 Saravanampatty Police Station,
Coimbatore District.

5.The Public Prosecutor,
High Court, Madras.

H.C.P.No.2430 of 2023

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