



H.C.P.No.2490 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.2490 of 2023**

R.Sumathi

... Petitioner/wife of the detenue

Vs.

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

2.The Commissioner of Police,  
Office of the Commissioner of Police,  
Salem City,  
Salem District.

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

4.The Inspector of Police,  
Salem City Central Crime Branch,  
Salem District.

... Respondents



H.C.P.No.2490 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 produce the body of the detenu by name Rajasekar, S/o.Elumalai, aged 39 years, presently confined at Central Prison, Salem, before this Court and set him at liberty forthwith, after calling for the records pertaining to the detention order dated 17.11.2023 in C.M.P.No.104/Goonda/Salem City/2023 passed by the second respondent, quash the same.

For Petitioner : Mr.S.Sanjay N 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., Rajasekar, S/o.Elumalai, aged 39 years, presently confined at Central Prison, Salem, has come forward with this petition challenging the detention order passed by the second respondent dated 17.11.2023 slapped on her 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



H.C.P.No.2490 of 2023

[Tamil Nadu Act, 14 of 1982].

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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that the order of detention passed by the second respondent as against the petitioner's husband, dated 17.11.2023 has been revoked by the Government in G.O.Rt.No.7168, Home, Prohibition and Excise (XIV) Department, dated 21.12.2023 and he has also produced a copy of the said order.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.

**[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.2490 of 2023

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

Anu

To

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

2.The Commissioner of Police,  
Office of the Commissioner of Police,  
Salem City,  
Salem District.

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

4.The Inspector of Police,  
Salem City Central Crime Branch,  
Salem District.

5.The Public Prosecutor,  
High Court, Madras.

H.C.P.No.2490 of 2023

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