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H.C.P.No.2536 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.04.2024

CORAM :

THE HONOURABLE MR. JUSTICE M.S.RAMESH

AND

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

H.C.P.No.2536 of 2023

S.Lakshmi

... Petitioner/wife of the detenue
Vs.

1.The State of Tamil Nadu,
Rep. by its Principal Secretary to Government,
Home, Prohibition and Excise Department,
Fort St. George,
Chennai-9.

2.The District Magistrate and
District Collector,
Erode-638 011,
Erode District.

3.The Superintendent of Police,
Erode District,
Erode -638 001

4.The Superintendent of Prison,
Central Prison,
Coimbatore-641 018.



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5.The Inspector of Police,
Prohibition and Enforcement Wing,
Erode Town,
Crime No.797 of 2023,
Erode 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 direct the respondents to produce the body of the detenu by name K.Selvam, S/o.Kandasamy, aged 48 years, presently confined at Central Prison, Coimbatore before this Court and set him at liberty forthwith, after calling for the records pertaining to the detention order dated 02.12.2023 in Cr.M.P.No.32/Bootlegger/2023 C1 passed by the second respondent, quash the same.

For Petitioner	:	Mr.N.Manoharan
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., K.Selvam, S/o.Kandasamy, aged 48 years, presently confined at Central Prison, Coimbatore, has come forward with this petition challenging the detention order passed by the second respondent dated 02.12.2023 slapped on her



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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that the order of detention passed by the second respondent as against the petitioner's husband, dated 02.12.2023 has been revoked by the Government in G.O.Rt.No.324, Home, Prohibition and Excise (IX) Department, dated 18.01.2024 and he has also produced a copy of the said order.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]
01.04.2024

Anu

Internet : Yes

Index : Yes / No

Neutral Citation : Yes / No

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

Anu

To

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

2.The District Magistrate and
District Collector,
Erode-638 011,
Erode District.

3.The Superintendent of Police,
Erode District,
Erode -638 001

4.The Superintendent of Prison,
Central Prison,
Coimbatore-641 018.

5.The Inspector of Police,
Prohibition and Enforcement Wing,
Erode Town,
Erode District.

6.The Public Prosecutor,
High Court, Madras.

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