

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.05.2017

CORAM

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH
and
THE HONOURABLE MR.JUSTICE R. SUBRAMANIAN

H.C.P.No.196 of 2017

D.Vidhya
W/o.Desingu

... Petitioner

Vs.

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

2. The District Magistrate and
the District Collector,
Tiruvallur,
Tiruvallur District.

... Respondents

Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Habeas Corpus, to produce the body of the detenu namely (Chathirathan S/o.Govinthan) before this Court and set his at liberty forthwith, by calling for the records pertaining to the detention order in B.C.D.F.G.I.S.S.S.V.No.08/2017 dated 22.01.2017 passed by the second respondent, quash the same.

For Petitioner : Mr.A.Thiyagarajan

For Respondents : Mr.E.Raja,
Additional Public Prosecutor

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O R D E R
[Order of the Court was made by M.M.SUNDRESH, J.]

The petitioner, who is the daughter of the detenu seeking to quash the detention order dated 22.01.2017, passed by the second respondent.

2. The learned counsel for the petitioner raised only one contention with respect to the illegible copies furnished to the detenu.

3.We have perused the records.

4. We are satisfied with the contentions raised especially with respect to the statement of the witnesses produced as available in Page Nos.118 to 122. We find it difficult to read the said documents.

5. In such view of the matter, we are inclined to set aside the detention order dated 22.01.2017 passed by the second respondent.

6. Accordingly, the Habeas Corpus Petition is allowed and the detention order dated 22.01.2017 passed by the second respondent is quashed. The detenu is directed to be set at liberty, forthwith, unless his presence is required in connection with any other case.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

vsm

To

1. The Secretary,
Government of Tamil Nadu,
Prohibition and Excise Department,
Fort St. George, Chennai - 9.
2. The District Magistrate and
the District Collector,
Tiruvallur,
Tiruvallur District.
3. The Superintendent,
Central Prison,
Puzhal II, Chennai.
4. The Joint Secretary to Government,
Public(Law & Order),
Fort Saint George, Chennai - 9.
5. The Public Prosecutor,
Madras High Court, Chennai.

H.C.P.No.196 of 2017

MG(CO)
CA(05/06/2017)