

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.317 of 2017

Venkatalakshmi
W/o.Suresh

.. Petitioner

Vs.

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

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

.. Respondents

Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Habeas Corpus, to call for the entire records relating to the petitioner's detention under Tamil Nadu Act 14 of 1982 vide detention order, dated 26.12.2016 on the file of the second respondent herein made in proceedings in S.C.No.65/2016 on the file of the second respondent herein made in proceedings in S.C.No.65 of 2016 and quash the same as illegal and consequently direct the respondents herein to produce the said petitioner namely Venkatalakshmi, wife of Suresh, aged 34 years before this Court and set the petitioner at liberty from detention, now the petitioner detained at Special Prison for Women, Vellore.

For Petitioner : Mr.C.C.Chellappan

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

O R D E R

[Order of the Court was made by M.M.SUNDRESH, J.]

The petitioner, who is the detenu, has come forward to file this petition challenging the order of detention dated 26.12.2016.

2. The learned counsel for the petitioner made only one submission that though the detention order proceeds to state that steps are being taken by the relatives of the petitioner to file the bail application, the said statement is bereft of requisite particulars.

3. We have perused the records and find the submission to be true and thus merits acceptance.

4. In such view of the matter, we are inclined to set aside the detention order on the ground of non-application of mind.

5. Accordingly, the Habeas Corpus Petition is allowed and the detention order dated 26.12.2016 is quashed. The detenu is directed to be set at liberty, forthwith, unless her presence is required in connection with any other case.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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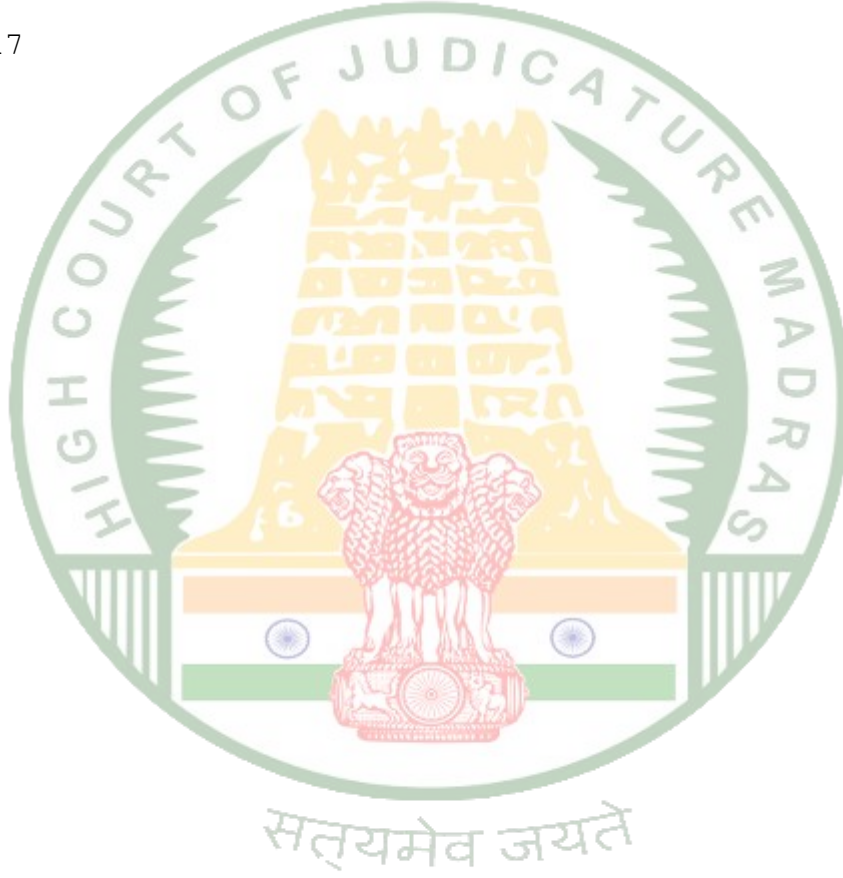
To

1. The State of Tamil Nadu,
Rep. By its Secretary to Government,
Prohibition and Excise Department,
Secretariat,
Chennai - 9.
2. The District Collector and District Magistrate,
Krishnagiri District,
Krishnagiri.

3. The Superintendent, Special Prison for Women,
Vellore.
4. The Joint Secretary to Government,
Public (Law & Order),
Fort Saint George, Chennai-9
5. The Public Prosecutor,
Madras High Court, Chennai.

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