



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **23.05.2017**

CORAM:

THE HONOURABLE MR.JUSTICE **M.V.MURALIDARAN**

and

THE HONOURABLE MR.JUSTICE **C.V.KARTHIKEYAN**

H.C.P (MD) No.204 OF 2017

WEB COPY

S.Karuppasamy

.. Petitioner

Vs.

1.State represented by
The District Collector and
District Magistrate,
Tirunelveli District,
Tirunelveli-9.

2.The Principal Secretary to Government,
Home Prohibition and Excise(xiv)
Department, Secretariat,
Chennai-9.

3.State represented by,
The Superintendent of Prison,
Central Prison,
Palayamkottai,
Tirunelveli District.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus to call for the entire records from the first respondent in M.H.S Confdl. No.08/2017 dated 23.01.2017 by setting aside the said order of detention passed by the first respondent and setting the detenu Chelladurai aged 47 years S/o.Seemaraja, at liberty now detained in the Central Prison, Palayamkottai.

For petitioner	: Mr.S.K.Prabhu
For Respondents	: Mr.C.Mayilvahana Rajendran Additional Public Prosecutor

O R D E R

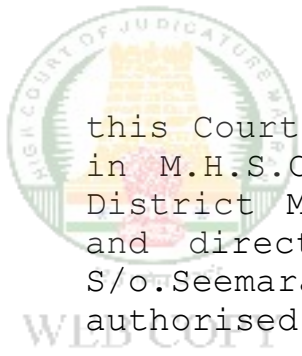
[Order of the Court was made by **M.V.MURALIDARAN, J.**]

The petitioner is the brother of the detenu - Chelladurai, S/o.Seemaraja, aged about 47 years. The detenu has been detained by the first respondent by his order in M.H.S.Confdl.No.08/2017, dated 23.01.2017, holding him to be a "Sand Offenders", as contemplated under Tamil Nadu Act 14 of 1982. The said order is under challenge in this Habeas Corpus Petition.

order of

[https://hcservices.courts.gov/indexes/\\$/](https://hcservices.courts.gov/indexes/$/)

8. In the result, the Habeas Corpus Petition is allowed and



this Court sets aside the Order of Detention dated 23.01.2017 made in M.H.S.Confdl.No.08/2017, passed by the first respondent, the District Magistrate and District Collector, Tirunelveli District and directs the release of the detenu, by name Chelladurai, S/o.Seemaraja forthwith, if his continued custody is not authorised in specific cases or by any other detention order.

Sd/-
Assistant Registrar(Crl. Side)

/True Copy/

Sub Assistant Registrar

To:

- 1.The District Collector and
District Magistrate,
Tirunelveli District,
Tirunelveli-9.
- 2.The Principal Secretary to Government,
Home Prohibition and Excise(xiv)
Department, Secretariat,
Chennai-9.
- 3.The Superintendent of Prison,
Central Prison,
Palayamkottai,
Tirunelveli District.
- 4.The Joint Secretary to Government,
Public (Law & Order) Department,
Fort St.George, Chennai-9.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to M/s.K.PRABHU Advocate in SR. No.57066
NS/RR
JS/KP/SAR.2/2.6.2017/3P-7C

ORDER MADE IN
H.C.P(MD)No.204 of 2017
23.05.2017