

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.01.2019

CORAM :

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN  
and  
THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

H.C.P.No.2132 of 2018

Vijayalakshmi, F 47 years,  
W/o.Deenadayalan,  
No.21/9, Mettu Street,  
Chennai 600 023.

..Petitioner/Wife of the Detenue

-Vs-

- 1.The Inspector of Police,  
W6, All Women Police Station,  
Ayanavaram, Chennai 600 010.
- 2.The Commissioner of Police,  
Greater Chennai,  
Office of the Commissioner of Police (Goondas Section)  
Vepery, Chennai 600 007.
- 3.The Secretary to the Government,  
Home Prohibition and Excise Department,  
Chennai 600 009.
- 4.The Superintendent of Prison,  
Central Prison II,  
Chennai 600 066.

..Respondents

Habeas Corpus Petition filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, to call for the records in connection with the order of detention passed by the second respondent on 05.09.2018 in BCDFGISSSV No.806/2018 against the petitioner's husband Deenadayalan, male, aged 50 years S/o.Bhakthavachalam who is confined at Central prison II, Puzhal, Chennai and set aside the same and direct the respondent to produce the detenu before this Court and set him at liberty.

For Petitioner : Ms.T.Hemalatha

For Respondents : Mrs.S.Thankira  
Government Advocate (Crl. side)

O R D E R

(Order of the Court was delivered by N.KIRUBAKARAN, J.)

Since the Writ Petitions filed by other accused involved in the same offences were allowed by the Division Bench of this Court in H.C.P.No.2110 of 2008 on 11.01.2019, this H.C.P is also liable to be allowed for the same reasons.

2.Accordingly, the Habeas Corpus Petition is allowed and the detention order passed by the second respondent on 05.09.2018 in BCDFGISSSV No.806/2018 is hereby set aside.

3.The detenu, named Mr.Deenadhayalan, male, aged 50 years S/o.Bakthavachalam, who is confined at Central prison II, Puzhal, Chennai is directed to be set at liberty forthwith unless his presence is required in connection with any other case.

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Sd/-  
Assistant Registrar (CS)

//True copy//

Sub Assistant Registrar

To

- 1.The Inspector of Police,  
W6, All Women Police Station,  
Ayanavaram, Chennai 600 010.
- 2.The Commissioner of Police,  
Greater Chennai,  
Office of the Commissioner of Police (Goondas Section)  
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- 3.The Secretary to the Government,  
Home Prohibition and Excise Department,  
Chennai 600 009.
- 4.The Superintendent of Prison,  
Central Prison II, Puzhal, Chennai 600 066.  
(2 Copies for Communication to the Detenue)
5. The Public Prosecutor, High Court, Madras.

KR/18/01/2019

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