



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.04.2019

CORAM:

**THE HONOURABLE MR.JUSTICE P.N.PRAKASH
AND
THE HONOURABLE MR. JUSTICE B.PUGALENDHI**

H.C.P. (MD) No.182 of 2019

Lilly Anu Stella : Petitioner

Vs.

- 1.State of Tamil Nadu, rep. By
The Principal Chief Secretary to Government
Home, Prohibition and Excise Department
Fort St. George, Chennai-9.
- 2.The District Collector and District Magistrate
O/o. the District Collector and District Magistrate
Tuticorin District, Tuticotin.
- 3.The Superintendent
Central Prison, Palayamkottai
Tirunelveli District. : Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India praying for the issue of a Writ of Habeas Corpus, to call for the entire records in detention order passed in H.S.(M)Confdl. No.37/2018 dated 31.12.2018 on the file of the 2nd respondent herein and set aside the same as illegal and direct the respondents to produce the petitioner's husband namely, Durai son of Muthaiah, male aged 27 years, who is detained in Central Prison, Palayamkottai, Tirunelveli before this Court and set him at liberty.

For Petitioner : Mr.M.Maharaja

For Respondents : Mr.M.Chandrasekaran
Additional Public Prosecutor



that the detenu is likely to come out on bail by filing bail application. Hence, on this sole ground, the detention order is set aside.

5. In the result, this Habeas Corpus Petition is allowed and the impugned Detention Order, passed by the second respondent, in his proceedings in Detention Order in H.S.(M)Confdl. No.37/2018 dated 31.12.2018 is quashed. The detenu, namely Durai, S/o.Muthiah aged about 27 years, is ordered to be set at liberty forthwith, if he is not required for detention in connection with any other case.

Sd/-

Assistant Registrar (CO)

/ True Copy /

Sub Assistant Registrar(CS)

To

- 1.The Principal Chief Secretary to Government
Home, Prohibition and Excise Department
Fort St. George, Chennai-9.
- 2.The District Collector and District Magistrate
O/o. the District Collector and District Magistrate
Tuticorin District,
Tuticotin.
- 3.The Superintendent
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.

+1 CC to M/s.M.MAHARAJA, Advocate (SR-64571[F] dated 30/04/2019)

Order made in
H.C.P. (MD) No.182 of 2019
Dated: 30.04.2019

RR

ES/15.05.2019/3P/7C

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