



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)

Friday, the Thirteenth day of September Two Thousand Nineteen

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PRESENT

The Hon`ble Mr.Justice S.VAIDYANATHAN
and
The Hon`ble Mr.Justice N.ANAND VENKATESH

HCP(MD) No.428 of 2019

(In the matter of Detenu KARTHICK ALIAS KUNDU KARTHICK SON OF
MADASAMY)

GOMATHI,
W/O.KARTHICK ALIAS
KUNDU KARTHICK, SANKARNAGAR,
THALAIYUTHU,
TIRUNELVELI TALUK AND DISTRICT. ... PETITIONER

Vs

- 1 THE PRINCIPAL SECRETARY TO GOVERNMENT
HOME, PROHIBITION AND EXCISE DEPARTMENT,
STATE OF TAMILNADU, FORT ST. GEORGE, CHENNAI - 9
- 2 THE DISTRICT COLLECTOR AND THE DISTRICT MAGISTRATE,
TIRUNELVELI DISTRICT-9.
- 3 THE SUPERINTENDENT OF PRISON,
PALAYAMKOTTAI CENTRAL PRISON,
TIRUNELVELI DISTRICT. ... RESPONDENTS

PRAYER: Petition is filed Under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus calling for the entire records, connected with the detention order of the respondent NO 2 in M.H.S. Confdl.No.20/2019 dated:06.03.2019 and quash the same and direct the respondents to produce the detenu by name KARTHICK ALIAS KUNDU KARTHICK, on of Madasamy, aged about 28 years now detained in Palayamkottai Central Prison before this Court and set him at liberty forthwith.

ORDER : This Habeas Corpus Petition coming upon for orders upon perusing the petition and the affidavit filed in support



thereof and upon hearing the arguments of M/S.R.VINOTH BHARATHI, Advocate for the petitioner and of MR.K.DINESH BABU, Additional Public Prosecutor on behalf of the Respondents, **IT IS ORDERED AS FOLLOWS:**

1.that the order of detention of detenu namely, KARTHICK ALIAS KUNDU KARTHICK Son of Madasamy issued by the 2nd respondent in Order No. M.H.S. Confdl.No.20/2019 dated:06.03.2019 be and hereby is set aside,

2.that the said detenu, viz, KARTHICK ALIAS KUNDU KARTHICK Son of MADASAY who is presently confined in Central Prison, Palayamkottai be set at liberty forthwith unless he is liable to be detained for some other case.

(detailed order will follow)

Sd/-
Assistant Registrar(CS-II)

/TRUE COPY/

Sub Assistant Registrar

TO

- 1 THE PRINCIPAL SECRETARY TO GOVERNMENT
HOME, PROHIBITION AND EXCISE DEPARTMENT,
STATE OF TAMILNADU,
FORT ST. GEORGE, CHENNAI - 9
- 2 THE DISTRICT COLLECTOR AND
THE DISTRICT MAGISTRATE,
TIRUNELVELI DISTRICT-9.
- 3 THE SUPERINTENDENT OF PRISON,
PALAYAMKOTTAI CENTRAL PRISON,
TIRUNELVELI DISTRICT.
(IN DUPLICASTE FOR COMMUNICATION TO DETENU)
- 4 THE JOINT SECRETARY TO GOVERNMENT,
PUBLIC(LAW AND ORDER),
FORT SAINT GEORGE, CHENNAI 9.

- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADRAS BENCH OF MADRAS HIGH COURT, MADURAI.



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ORDER DATE : 13/09/2019

ADVANCE ORDER

HCP(MD)No.428 OF 2019

Allowing the petition for issue of Writ of Habeas Corpus and setting aside the order of the detention and directing the release of the detenu forthwith unless his detention is required in connection with any other case as stated within.

JM/13.09.2019/3P/7C