



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

Thursday, the Fifth day of December Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice T.RAJA

AND

The Hon`ble Mr Justice B.PUGALENDHI

HCP(MD) . No.484 of 2019

(in the matter of Detenu KRISHNAMOORTHY, S/O THIRUPATHI, AGED ABOUT 28 YEARS)

KRISHNAMOORTHY,

... Petitioner

Vs

1 THE PRINCIPAL SECRETARY TO
GOVERNMENT, HOME, PROHIBITION AND EXCISE,
DEPARTMENT, FORT ST.GEORGE, CHENNAI-600 009.

2 THE DISTRICT MAGISTRATE AND
DISTRICT COLLECTOR, O/O.THE DISTRICT,
MAGISTRATE AND DISTRICT COLLECTOR, DINDIGUL,
DISTRICT.

3 THE SUPERINTENDENT OF PRISON
MADURAI CENTRAL PRISON, MADURAI DISTRICT.

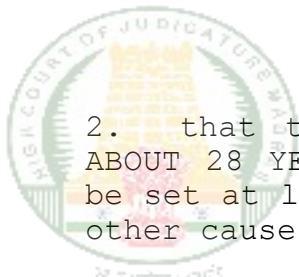
... Respondents

Petition under Article 226 of the Constitution of India, praying that in the Circumstances stated therein and in the affidavit filed therewith, the High Court will be pleased to issue a Writ of Habeas Corpus calling for the records leading to the detention of detenu KRISHNAMOORTHY S/O THIRUPATHI AGED ABOUT 28 YEARS under T.N.Act 14/1982 vide detention order dated 03/06/2019 on the file of the 2 respondent herein made in Proceeding No. 28/2019 and set aside the same as illegal and consequently direct the respondents herein to set the said detenu at liberty from the Central Prison, Madurai.

ORDER:- This Habeas Corpus petition coming on for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Thiru.R.ALAGUMANI, Advocate for the Petitioner and of MR.K.DINESH BABU, Additional Public Prosecutor on behalf of the respondents.

IT IS OREDERED AS FOLLOWS:-

1. that the order of detention of dentenu, KRISHNAMOORTHY, S/o. THIRUPATHI, AGED ABOUT 28 YEARS issued by the 2 respondent in Order No. 28/2019, dated 03/06/2019 be and hereby is set aside.



2. that the said detenu, viz. KRISHNAMOORTHY S/o. THIRUPATHI, AGED ABOUT 28 YEARS, who is presently confined in Central Prison, Madurai, be set at liberty forthwith unless he is liable to be detained for some other cause.

(Detailed Order will follow)

WEB COPY

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

TO

1. The Secretary to Government, Prohibition and Excise Department, Fort Saint George, Chennai-9.
2. The District Magistrate & District Collector, Dindigul.
3. The Superintendent, Central Prison, Madurai
(In duplicate for communication to Detenu)
4. The Joint Secretary to Government, Public (Law & Order)
Fort Saint George, Chennai-9.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High court, Madurai.

Dated : 05/12/2019

ADVANCE ORDER

HCP(MD). No.484 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.

KM(CO)

TR(05.12.2019) 2P 7C