



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Special Original Jurisdiction)

Thursday, the Twelfth day of December Two Thousand and Nineteen
PRESENT

The Hon'ble Mr. Justice T. RAJA

AND

The Hon'ble Mr Justice B. PUGALENDHI

HCP(MD). No.715 of 2019

(in the matter of Detenu namely N.K.P.BALAGURU, S/O.N.K.PERUMAL,
MALE, AGED ABOUT 47 YEARS)

Gayathri ...Petitioner/Wife of the detenu
Vs

1 Government of Tamil Nadu, repb.by the Add. Chief Secretary to
Government, Home, Prohibition and Excise Department,
Fort st. George, Chennai - 600 009.

2 The District Collector and District Megistrate,
Thanjavur Distrct, Thanjavur.

3 The Superintendent, Central Prison, Cuddalore.

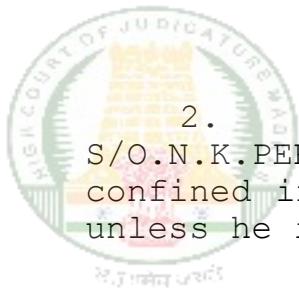
... Respondents

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 namely N.K.P.BALAGURU, S/O.N.K.PERUMAL, MALE,
AGED ABOUT 47 YEARS under T.N.Act 14/1982 vide detention order
dated 13/06/2019 on the file of the Second respondent herein made
in P.D.No.10 of 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, Cuddalore.

ORDER:- 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 Mr. B.JAMEEL ARASU,
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 namely,
N.K.P.BALAGURU, S/O.N.K.PERUMAL, MALE, AGED ABOUT 47 YEARS issued
by the Second respondent in P.D.No.10 of 2019, dated 13/06/2019 be
and hereby is set aside.



2. that the said detenu, viz. N.K.P.BALAGURU, S/O.N.K.PERUMAL, MALE, AGED ABOUT 47 YEARS who is presently confined in Central Prison, Cuddalore be set at liberty forthwith unless he is liable to be detained for some other cause.

(Detailed Order will follow)

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

TO

1 The Add. Chief Secretary to Government, Home, Prohibition and Excise Department, Fort st. George, Chennai - 600 009.

2 The District Collector and District Megistrate, Thanjavur Distrct, Thanjavur.

3 The Superintendent, Central Prison, Cuddalore.
(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 : 12/12/2019

ADVANCE ORDER

HCP(MD). No.715 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.

KK/SAR/12.12.2019/2P-7C/