

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.07.2020

CORAM :

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN
AND
THE HONOURABLE MS.JUSTICE V.M.VELUMANI

H.C.P.No.936 of 2020

Shagilabanu

...Petitioner

Vs

- 1.The Secretary to Government,
Ministry of Consumer Affairs,
Food and Public Distribution,
(Department of Consumer Affairs),
No.270, KrishiBhavan,
New Delhi - 110 001.
- 2.The Secretary to Government,
Food and Consumer Protection Department,
Second Floor, Namakkalkavignar Maaligai,
Secretariat, Chennai - 9.
- 3.The District Collector and the District Magistrate,
Villupuram District, Villupuram.
- 4.The Superintendent of Police,
Cuddalore District, Cuddalore.
- 5.The Superintendent of Police
Central Prison, Cuddalore.
- 6.The Inspector of Police,
Civil Supplies CID,
Villupuram District.

...Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Habeas Corpus, calling for the records in C2/4789/2020 dated 03.03.2020 on the file of the third respondent herein and quash the same as illegal and consequently direct the respondents to produce the Petitioner's husband Shahul Ameer S/o.Rahman Sait, aged about 34 years, who now confined in Central Prison, Cuddalore before this Court and set him at liberty.

For Petitioner : Mr.M.Selvam.

For Respondents : Mr.R.Prathap Kumar,
Additional Public Prosecutor.

O R D E R

(Order of the court was made by N.KIRUBAKARAN.J.,)

The matter was heard through "Video Conferencing".

2.The Petitioner who is the wife of the detenu has challenged the detention order passed against her husband in C2/4789/2020 dated 03.03.2020 by the Third Respondent.

3.Heard Mr.M.Selvam, learned Counsel appearing for the Petitioner and Mr.R.Prathap Kumar, learned Additional Public Prosecutor appearing for the Respondents.

4.The records produced before this Court would reveal that the remand extension order has not been translated and supplied to the detenu in the booklet provided to him and the same vitiates, the detention order and this petition has to be necessarily allowed.

5.Accordingly, the detention order passed by the Third Respondent in C2/4789/2020 dated 03.03.2020 is quashed and the Habeas Corpus Petition is allowed. The detenu viz., Shahul Ameer S/o.Rahman Sait, aged about 34 years, who is now confined in Central Prison, Cuddalore is directed to be set at liberty forthwith unless his presence is required in connection with any other case.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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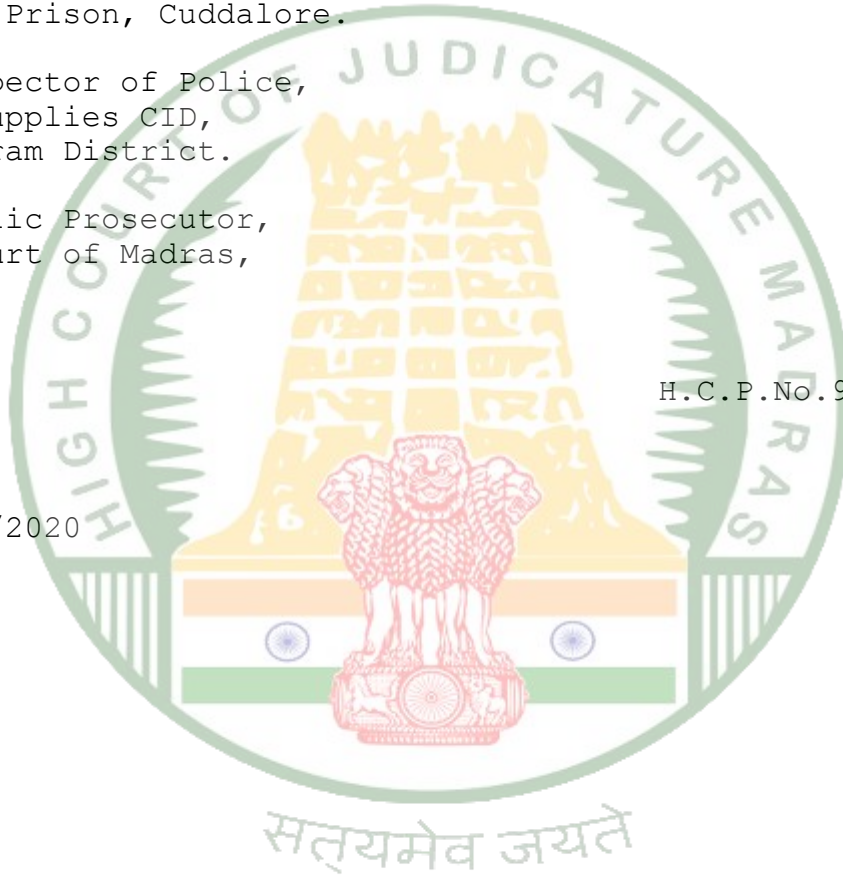
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Civil Supplies CID,
Villupuram District.
- 7.The Public Prosecutor,
High Court of Madras,
Chennai.

H.C.P.No.936 of 2020

SV(CO)
KKV/30/07/2020



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