



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

Thursday, the Seventh day of October Two Thousand and Twenty One
PRESENT

The Hon`ble Mr.Justice K.KALYANASUNDARAM
AND

The Hon`ble Mr.Justice B.PUGALENDHI
HCP(MD). No.242 of 2021

(in the matter of Detenu Thangadurai, S/o Ramasamy, Male, aged 37 years)

Archunan

... Petitioner/Brother of detenu

Vs

1.The Principal Secretary to Government,
State of Tamil Nadu, Home,,
Prohibition and Excise (XVI) Department,,
Fort St. George, Secretariat,
Chennai - 600 009.

2.The District Magistrate and District Collector,
Office of the District Magistrate and District Collector,
Pudukkottai District,
Pudukkottai.

3.The Superintendent of Prison
Trichy Central Prison,
Trichy.

... Respondents

Petition filed 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 Thangadurai, S/o Ramasamy, Male, aged 37 years under T.N.Act 14/1982 vide detention order dated 02/02/2021 on the file of the second respondent herein made in Proceeding No. P.D.O.No. 02 of 2021 and set aside the same as illegal and consequently direct the respondents herein to set the said detenu at liberty from the Central Prison, Trichy.

ORDER:- This Habeas Corpus petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of MR. R. ALAGUMANI, Advocate for the Petitioner and of MR. S.RAVI, Standing counsel for the state on behalf of the respondents.



IT IS ORDERED AS FOLLOWS:-

1.that the order of detention of detenu, Thangadurai, S/o Ramasamy, Male, aged 37 years issued by the 2nd respondent in Order No. P.D.O.No. 02 of 2021, dated 02/02/2021 be and hereby is set aside.

2.that the said detenu, viz. Thangadurai, S/o Ramasamy, Male, aged 37 years who is presently confined in Central Prison, Trichy 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 //

/ /2021

Sub Assistant Registrar (CS)

TO

- 1.The Secretary to Government,
Prohibition and Excise Department,
Fort Saint George, Chennai-9.
- 2.The District Magistrate and District Collector,
Office of the District Magistrate and District Collector,
Pudukkottai District,
Pudukkottai.
- 3.The Superintendent, Central Prison, Trichy
(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.



WEB COPY

Order Dated : 07/10/2021

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ADVANCE ORDER

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HCP(MD) . No.242 of 2021

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.

VR(CO)/RS (07.10.2021) 3P 7C