



H.C.P.No.91 of 2023

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M.SUNDAR, J.,
and
M.NIRMAL KUMAR, J.,

(Order of the Court was made by M.NIRMAL KUMAR, J.,)

Captioned Habeas Corpus Petition has been filed in this Court on 11.01.2023 *inter alia* assailing a detention order dated 28.12.2022 bearing reference BCDFGISSSV No.222/2022 made by 'second respondent' [hereinafter 'Detaining Authority' for the sake of convenience and clarity]. To be noted, fourth respondent is the Sponsoring Authority.

2. Mother of the detenu is the petitioner.

3. Ms.M.Udayarani, learned counsel representing the counsel on record for habeas corpus petitioner is before us. Learned counsel for petitioner submits that ground case qua the detenu is for alleged offences under Sections 147, 148, 341, 294(b), 307 and 302 IPC and Sections 3 and 4(a) of Explosive Substances Act, 1908 in Crime No.369 of 2022 on the file of T-10 Manimangalam Police Station.

4. The aforementioned detention order has been made on the premise that the detenu is a 'Goonda' under Section 2(f) of 'The Tamil



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Nadu Prevention of Dangerous Activities of Bootleggers, Cyber law offenders, Drug-offenders, Forest-offenders, Goondas, Immoral traffic offenders, Sand-offenders, Sexual-offenders, Slum-grabbers and Video Pirates Act, 1982 (Tamil Nadu Act No.14 of 1982)' [hereinafter 'Act 14 of 1982' for the sake of convenience and clarity].

5. The detention order has been assailed *inter alia* on the ground that the copy of grounds of detention in English was not properly translated in Tamil, which prevented the detenu from making effective representation against the detention order.

6. *Prima facie* case made out for admission. Admit. Issue Rule nisi returnable by four weeks.

7. Mr.R.Muniyapparaj, learned Additional Public Prosecutor, State of Tamil Nadu accepts notice for all respondents. List the captioned Habeas Corpus Petition accordingly.

[M.S.J.,]

[M.N.K.J.,]

24.01.2023

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H.C.P.No.91 of 2023

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