



H.C.P.No.481 of 2023

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

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

Captioned Habeas Corpus Petition has been filed in this Court on 20.03.2023 *inter alia* assailing a detention order dated 14.02.2023 bearing reference C.O.C.No.10/2023 made by 'second respondent' [hereinafter 'Detaining Authority' for the sake of convenience and clarity]. To be noted, fifth respondent is the Sponsoring Authority.

2. Wife of the detinue is the petitioner.

3. Learned counsel for petitioner submits that ground case qua the detinue is for alleged offences under Sections 4(1)(aaa), 4(1)(b), 4(1)(h), read with 4(1-A) of the Tamil Nadu Prohibition Act, 1937 and Sections 420, 465, 468, 471, 472, 120B, 328 of 'The Indian Penal Code (45 of 1860)' [hereinafter 'IPC' for the sake of convenience and clarity] read with Rules 5 and 7 of the Tamil Nadu Rectified Spirit Rules 2000 in Crime No.10 of 2023 on the file of Muthupettai Police Station.



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4. The aforementioned detention order has been made on the premise that the detenu is a 'Bootlegger' under Section 2(b) of 'The Tamil 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 some of the pages in the booklet furnished to the detenu are not legible which prevented the detenu from making an effective representation.

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.,]
29.03.2023

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