



HCP No.876 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.11.2022

Coram

The Honourable Mr. Justice **P.N.PRAKASH**
and
The Honourable Mr. Justice **RMT.TEEKAA RAMAN**

H.C.P.No.876 of 2022

N.Mangai

.. Petitioner

Vs.

1.The State Rep.

By its Secretary to Government,
Home, Prohibition and Excise Department,
Fort St. George, Chennai – 600 009.

2.The District Collector and District Magistrate,
Thiruvannamalai,
Thiruvannamalai District.

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

4.The Inspector of Police,
Jamunamarathur Police Station,
Thiruvannamalai District.
(Crime No.38 of 2022)

... Respondents



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2. We have heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents and we have also perused the records carefully.

3. Though the learned counsel for the petitioner has raised several other grounds to assail the order of detention, he has mainly focused his argument on the ground that the arrest intimation has not been translated in vernacular language. This deprived the detenu from making effective representation. Therefore, on this ground, the detention order is liable to be quashed.

4. On consideration of the submissions made on either side and upon perusal of the documents available on record especially Page No.11 of the booklet, it is clear that the arrest intimation has not been translated in vernacular language. Thus the impugned detention order is liable to be set aside on this ground.

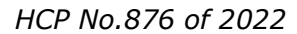


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5. In the result, the Habeas Corpus Petition is allowed and the order of detention in D.O.No.36/2022 C-2 dated 22.04.2022, passed by the second respondent is set aside. The detenu, viz., P.Nadarajan, male, aged about 51 years, son of Palani, is directed to be released forthwith unless his detention is required in connection with any other case.

(P.N.P.,J.) (TKRJ)
15.11.2022

Index: Yes/No
ars/nsd



1. The Secretary to Government,
Home, Prohibition and Excise Department,
Fort St. George, Chennai – 600 009.
2. The District Collector and District Magistrate,
Thiruvannamalai,
Thiruvannamalai District.
3. The Superintendent of Prison,
Salem Central Prison, Salem.
4. The Inspector of Police,
Jamunamarathur Police Station,
Thiruvannamalai District.
5. The Joint Secretary to Government of Tamil Nadu,
Public, Law and Order Department,
Secretariat, Chennai – 9.
6. The Public Prosecutor,
High Court, Madras.



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P.N.PRAKASH,J.
and
RMT.TEEKAA RAMAN,J.

ars

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