



*Crl.M.P.No.3399 of 2023
in H.C.P.No.2603 of 2022*

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

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

Captioned 'Criminal Miscellaneous Petition' [hereinafter 'Crl.M.P.' for the sake of convenience and clarity] is filed with a prayer to fix an early date for hearing out the aforementioned main 'Habeas Corpus Petition' [hereinafter 'HCP' for the sake of convenience] being H.C.P.No.2603 of 2022.

2.Mr.K.Gandhi Kumar, learned counsel on record for petitioner who is before us submits that the detenu is an elected representative of the people having been elected directly as a Ward Member in Ward No.1 in Thiruchopuram Village Panchayat. Learned counsel for petitioner submits that thereafter in an election from amongst the Ward members, the detenu has been elected as Vice President of the Village Panchayat. It is the emphatic case of petitioner that clamping of impugned preventive detention

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order is hampering his discharge of responsibilities as an elected representative in a democratic Republic in a three tier electoral democracy.

3.We make it clear that we have expressed no opinion on the merits of impugned preventive detention order or on the ground case but accepting the reason in support of fixing an early date prayer, we fix 30.03.2023 as the date for hearing out captioned main HCP i.e., H.C.P.No.2603 of 2022.

4.List H.C.P.No.2603 of 2022 for final hearing on 30.03.2023.

5.Captioned Crl.M.P. is disposed of with the aforesaid directive.

**[M.S.J.,] [M.N.K.J.,]
16.03.2023**

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