



H.C.P(MD)No.333 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 24.03.2023

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

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Renuka ... Petitioner(mother of the detenue)

-VS-

- 1.State of Tamil Nadu,
Rep. by its Additional Chief Secretary to Government,
Home, Prohibition & Excise Department,
Chennai – 9.
- 2.The District Collector/District Magistrate,
Karur District,
Karur.
- 3.The Superintendent,
Central Prison,
Tiruchirappalli.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus to call for the records pertaining to the proceedings of the second respondent made in his proceeding in Cr.M.P.No.



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12/2022 dated 04.08.2022 and quash the same and set petitioner's son by name "Sivakumar", S/o.Mahalingam, aged about 23 years at liberty from third respondent.

For Petitioner : Mr.K.C.Maniyarasu

For Respondents : Mr.A.Thiruvadikumar,
Additional Public Prosecutor

ORDER

[Order of the Court was made by R.SUBRAMANIAN, J.]

This Habeas Corpus Petition has been filed by the mother of the detenu, challenging the detention order passed in Cr.M.P.No.12/2022, dated 04.08.2022, by the 2nd respondent, branding him as "Sexual Offender", as contemplated under Section 2(ggg) of Tamil Nadu Act 14 of 1982.

2. It is a detention order that has been passed based on a single case. Mr.S.Ravi, learned Additional Public Prosecutor would submit that the son of the petitioner has been acquitted in the said case also.

3. Hence, the very ground of detention does not survive. Therefore, the Habeas Corpus Petition is allowed. The detention order passed in



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Cr.M.P.No.12/2022, dated 04.08.2022, by the 2nd respondent, is set aside.

Consequently, the detenu viz., Sivakumar, aged about 23 years, who is now detained in Central Prison, Tiruchirappalli, is directed to be released forthwith, unless his presence or custody or detention is required in connection with any other case.

[R.S.M., J.] [L.V.G., J.]
24.03.2023

NCC : Yes/No
Index : Yes/No
Internet : Yes

PM



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pm

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