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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Monday, the Seventh day of August Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice M.S.RAMESH
and
The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL MP(MD) No.11244 of 2023
in
HCP(MD)No.661 of 2023

USHA ... PETITIONER/PETITIONER(MOTHER OF THE DETENUE)

Vs

1 THE GOVERNMENT OF TAMIL NADU,
REP.BY ITS ADDITIONAL CHIEF SECRETARY TO GOVERNMENT,
HOME, PROHIBITION AND EXCISE DEPARTMENT,
SECRETARIAT, CHENNAI- 600 009.

2 THE DISTRICT COLLECTOR AND DISTRICT MAGISTRATE,
NAGAPATTINAM DISTRICT.

3 THE SUPERINTENDENT
CENTRAL PRISON,
TIRUCHIRAPPALLI DISTRICT.

... RESPONDENTS/RESPONDENTS

Criminal Miscellaneous Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to pass an order directing the detenue namely Manimaran S/o.Thangamani,Aged about 23 years to be enlarged on interim bail for a period of 30 days who is originally detained in pursuance of the order made in C.O.C.No.19/2023 dated 17.04.2023 on the file of the 2nd Respondent forthwith pending disposal of the Habeas Corpus Petition.



Prayer in Habeas Corpus Petition(MD) No. . 661/ 2023 :

Petition praying that in the circumstances stated therein and in the affidavit filed therewith, the High Court will be pleased H2-GO. To call for the order made in C.O.C.No.19/2023 dt.17.4.2023 on the file of the 2nd Respondent and quash the same and consequently direct the Respondents to produce the Petitioners son namely Manimaran,S/o.Thangamani,aged 23 years who is now detained as a detenue at Central Prison Tiruchirappalli or his corpus or body before this Hon'ble Court and set him at liberty forthwith.

Order : This Criminal Miscellaneous Petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.SANKARA PANDIAN.J, Advocate for the petitioner and of Mr.A.THIRUVADI KUMAR, Additional Public Prosecutor on behalf of the Respondents, the Court made the following order:-

This Criminal Miscellaneous Petition is filed seeking for grant of interim bail for a period of 30 days for the petitioner's son, namely, Manimaran, S/o.Thangamani, aged about 23 years, who is detained pursuant to the detention order of the second respondent in C.O.C.No.19/2023 dated 17.04.2023.

2. The learned counsel for the petitioner submitted that the petitioner would be satisfied, if the first respondent is directed to consider the representation, to be preferred by the petitioner, within a stipulated time.

3. Accordingly, there shall be a direction to the petitioner to give a fresh representation to the first respondent raising the grievances of the petitioner. On



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receipt of such representation, the first respondent herein is directed to consider the same, on its own merits and pass appropriate orders in accordance with law, within a period of one (1) week from the date of receipt of a fresh representation. It is made clear that this Court has not expressed any of its views with regard to the merits of the claim of the petitioner and that it is open to the concerned respondent to consider the same on its own merits.

4. With the above direction, the Criminal Miscellaneous Petition stands disposed of.

sd/-
07/08/2023

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/08/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LM

TO

- 1 THE ADDITIONAL CHIEF SECRETARY TO GOVERNMENT,
THE GOVERNMENT OF TAMIL NADU,
HOME, PROHIBITION AND EXCISE DEPARTMENT,
SECRETARIAT, CHENNAI- 600 009.
- 2 THE DISTRICT COLLECTOR AND DISTRICT MAGISTRATE,
NAGAPATTINAM DISTRICT.



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- 3 THE SUPERINTENDENT
CENTRAL PRISON,
TIRUCHIRAPPALLI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL MP(MD) No.11244 of 2023
in
HCP(MD)No.661 of 2023
Date :07/08/2023

SS/VRS/18/08/2023/4P/5C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023