



WEB COPY



HCP.No.1166 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.08.2024

CORAM :

**THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE MR. JUSTICE V.SIVAGNANAM**

H.C.P.No.1166 of 2024

M.Faritha

.... Petitioner

Vs

- 1 The State of Tamil Nadu,
Rep. By its Additional Chief Secretary to Government,
Department of Prohibition and Excise (Home),
Fort St.George, Chennai - 600 009.
- 2 The Commissioner of Police,
Greater Chennai,
Veppery, Chennai – 600 007.
- 3 The Superintendent of Prison,
Central Prison, Puzhal,
Chennai.
4. The Inspector of Police,
Cyber Crime Division – I Police Station,
Delta-3, Central Crime Branch,
Chennai.

.... Respondents

PRAYER: Petition filed under Article 226 of Constitution of India to issue a Writ of Habeas Corpus to call for the records in No.451/BCDFGISSSV/2024 dated



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03.05.2024 on the file of the second respondent herein and set aside the same as illegal and produce the detainee Jainulabudheen, son of Anverdheen, aged about 43 years, who is confined at Central Prison, Puzhal, Chennai, before this Hon'ble Court and set him at liberty.

For Petitioner : Mr. Ilayaraja Kandasamy
For Respondents : Mr.E.Raj Thilak
Additional Public Prosecutor

ORDER

(Order of the Court was made by *S.M.SUBRAMANIAM, J.*)

The order of detention passed by the Commissioner of Police, Greater Chennai, in No.451/BCDFGISSSV/2024 dated 03.05.2024, is sought to be quashed in the present Habeas Corpus Petition.

2.The Special Report submitted by the Sponsoring Authority is undated which caused prejudice to the detainee. That apart, the detainee has been arrested on 08.04.2024 and the impugned order of detention has been issued on 03.05.2024. The above lapses on the part of the authority would be sufficient for the purpose of setting aside the order of detention.



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3. Accordingly, the impugned order of detention in No.451/BCDFGISSSV/2024 dated 03.05.2024 , is quashed and the Habeas Corpus Petition stands **allowed**. The detenue, namely, Jainulabudheen, son of Anverdheen, aged about 43 years, who is confined at Central Prison, Puzhal, Chennai, is directed to be set at liberty forthwith unless he is otherwise required in connection with any other case.

[S.M.S., J.]

[V.S.G., J.]

sli

13.08.2024

Index : Yes/No
Speaking Order : Yes/No
Neutral Citation : Yes/No

To

- 1 The State of Tamil Nadu,
Rep. By the Additional Chief Secretary to Government,
Home, Prohibition and Excise Department ,
Fort St.George, Chennai - 600 009.
- 2 The Commissioner of Police,
The Greater Chennai City, Veppery, Chennai – 600 007.
- 3 The Superintendent of Prison,
Central Prison, Puzhal, Chennai.
4. The Inspector of Police,
E-2, Royapettah Police Station, Chennai.
5. The Public Prosecutor, High Court, Madras.



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S.M.SUBRAMANIAM, J.
AND
V.SIVAGNANAM, J.

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