



WEB COPY



HCP.No.1473 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.08.2024

CORAM :

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

H.C.P.No.1473 of 2024

Vinmalar

... Petitioner

Vs

1. The Additional Chief Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat, Chennai-600 009.
- 2 The District Magistrate and
District Collector, Tiruvallur District ,
Tiruvallur.
- 3 The Superintendent of Police
Thriuvallur District.
- 4 The Superintendent of Prison
Central Prison II, Puzhal, Chennai-66.
- 5 The Inspector of Police
Arumbakkam Circle,
Thiruvallur District.

.... Respondent



HCP.No.1473 of 2024

PRAYER: Petition filed under Article 226 of Constitution of India to issue a Writ of Habeas Corpus, Call for the records in connection with the order of detention passed by the second respondent dated 31.05.2024 in BCDFGISSSV No.17/2024 against the petitioner's son Mohankumar @ Settu, Male, aged 20 years S/o. Gopalakrishnan, who is confined at Central prison -II Puzhal, Chennai and set aside the same and direct the respondents to produce the detainee before the Honble Court and set him at liberty.

For Petitioner : Mr.S.Senthilvel

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 District Magistrate and District Collector, Tiruvallur in BCDFGISSSV No.17/2024, dated 31.05.2024 is sought to be quashed in the present Habeas Corpus Petition.

2. The main ground raised in the Habeas Corpus Petition by the petitioner is that the Arrest Intimation Form from page 21 to 28, in the typed set of papers served on the detainee, have not been translated. That apart, the adverse cases relied upon by the detaining authority would be insufficient to form an opinion that there is likelihood of causing breach of Public Order.



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4.Hence, for the aforesaid reason, the detention order passed by the second respondent in proceedings No. BCDFGISSSV No.17/2024, dated 31.05.2024 is quashed and the Habeas Corpus Petition is allowed. The detenue, viz., Mohankumar @ Settu, Male, aged 20 years S/o. Gopalakrishnan, who is confined at Central prison -II Puzhal, Chennai, is directed to be set at liberty forthwith, unless he is required in connection with any other case.

[S.M.S., J.]

[V.S.G., J.]

12.08.2024

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



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