



WEB COPY



HCP.No.1423 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.1423 of 2024

Selvi

Vs

... Petitioner

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
Thiruvallur District.

4 The Superintendent of Prison
Central Prison II, Puzhal,
Chennai-66.

5 The Inspector of Police
Arumbakkam Circle,
Thiruvallur District.

... Respondents



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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.16/2024 against petitioner's Son Ajay, Male aged 25 years S/o.Panchanathan who is confined at Central Prison, Chennai and set aside the same and direct the respondent 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.16/2024, 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.16/2024, dated 31.05.2024 is quashed and the Habeas Corpus Petition is allowed. The detainee, viz., Ajay, Male aged 25 years S/o.Panchanathan who is confined at Central Prison, 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
mrpTo

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