



WEB COPY



HCP.No.1534 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.08.2024

CORAM :

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR

H.C.P.No.1534 of 2024

Sanjeevi Ammal

... Petitioner

Vs.

1. The Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat, Fort St.George, Chennai - 9.
2. The Commissioner of Police,
Office of the Commissioner of Police,
Greater Chennai Police,
Vepery, Chennai.
3. The Superintendent of Police,
Central Prison, Puzhal, Chennai.
4. The Inspector of Police,
J 8, Neelankarai Police Station, Chennai.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, calling for the records pertaining to the order of the detention passed by the second respondent in his proceedings in



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No.595/BCDFGISSSV/2024 dated 29.05.2024, and quash the same as illegal and produce the detenu, namely, J.Nagaraj, S/o.Jaina aged 29 years, Goonda now he is confined in Central Prison, Puzhal II, Chennai before this Court and set him at liberty.

For Petitioner : Mr.C.Raja

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 second respondent in No.595/BCDFGISSSV/2024 dated 29.05.2024, is sought to be quashed in the present Habeas Corpus Petition.

2.The remand order served on the detenu is improperly translated, which caused prejudice to the detenu for submitting effective representation, which is a valuable right provided to the detenu under the Act.



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3.Thus, the impugned order of detention in No.595/BCDFGISSSV/2024 dated 29.05.2024 is quashed and the Habeas Corpus Petition stands **allowed**. The detainee, namely, J.Nagaraj, S/o.Jaina aged 29 years, now confined in Central Prison, Puzhal II, Chennai, is directed to be set at liberty forthwith unless he is otherwise required in connection with any other case.

[S.M.S., J.]

[N.S., J.]

29.08.2024

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

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S.M.SUBRAMANIAM, J.
AND
N.SENTHILKUMAR, J.

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To

1. The Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat, Fort St.George, Chennai - 9.
2. The Commissioner of Police,
Office of the Commissioner of Police,
Greater Chennai Police,
Vepery, Chennai.
3. The Superintendent of Police,
Central Prison, Puzhal, Chennai.
4. The Inspector of Police,
J 8, Neelankarai Police Station,
Chennai.
5. The Public Prosecutor,
High Court, Madras.

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