



WEB COPY



HCP.No.1606 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.08.2024

CORAM :

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

H.C.P.No.1606 of 2024

Muthumari

...
Vs

PETITIONER

- 1 The State Of Tamil Nadu ,
Rep.by Its The Principal Secretary To
Government, Home, Prohibition And Excise
Department, Fort St George,
Chennai - 600 009.
- 2 The District Magistrate And
District Collector, Office Of The District
Magistrate And District Collector,
Karur District, Karur.
- 3 The Superintendent Of Police
Karur District.
- 4 The Superintendent Of Police
The Central Prison, Coimbatore,
Coimbatore District.
- 5 The Inspector Of Police
Aravakurichi Police Station,
Karur District.

...

RESPONDENTS



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PRAAYER: Petition filed under Article 226 of Constitution of India to issue a Writ of Habeas Corpus to call for the records relating to Detention Order in Cr.M.P.No.12/2024 dated 14.05.2024 passed by the 2nd respondent herein and set aside the same as illegal and direct the respondents herein to produce my son namely Ramesh @ Kulumai Ramesh aged 26 years S/o.Murugan (who is presently under going detention in the Central Prison, Coimbatore) before this Honble Court and set him at liberty.

For Petitioner : Mr.G.Karuppasamy Pandiyan

For Respondents : Mr.E.Raj Thilak
Additional Public Prosecutor

ORDER

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

The order of detention passed by the 2nd respondent/District Magistrate and District Collector, Karur, in Cr.M.P.No.12/2024 dated 14.05.2024 is sought to be quashed in the present Habeas Corpus Petition.

2. A perusal of the documents relied on by the detaining authority would reveal that, the detenue had been arrested on 21.02.2024, however the impugned



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order of detention has been issued on 14.05.2024, after a lapse of more than two months.

3. The fact about the long delay would be sufficient to draw an inference that the detaining authority has failed to apply their mind for the purpose of issuing the impugned order under Act 14 of 1982.

4. Hence, for the aforesaid reason, the detention order passed by the second respondent in Cr.M.P.No.12/2024 dated 14.05.2024 is quashed and the Habeas Corpus Petition is allowed. The detainee, viz., Ramesh @ Kulumai Ramesh aged 26 years S/o.Murugan, now confined at the Central Prison, Coimbatore, 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.]
16.08.2024

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



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

mrp

To

- 1 The State Of Tamil Nadu ,
Rep.by Its The Principal Secretary To
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- 2 The District Magistrate And
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The Central Prison, Coimbatore,
Coimbatore District.
- 5 The Inspector Of Police
Aravakurichi Police Station,
Karur District.
6. The Public Prosecutor,
High Court, Madras.

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