



WEB COPY



HCP.No.1750 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.1750 of 2024

Mrs. Karpagam

.... Petitioner

Vs

1 The Secretary to Government,
Home, Prohibition and Excise Department ,
Fort St.George,
Chennai - 600 009.

2 The Commissioner of Police,
Avadi City.

3 The Superintendent of Prison,
Central Prison, Puzhal,
Chennai.

4. The Inspector of Police,
T-2 Ambattur Estate Police Station

.... Respondents



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PRAYER: Petition filed under Article 226 of Constitution of India to issue a Writ of Habeas Corpus to call for the records in connection with the order of detention passed by the second respondent dated 29.05.2024 in No.59/BCDFGISSSV/2024 against the petitioner's son Rishi @ Rishikaran, Male, aged about 22 years son of Suresh, who is confined at Central Prison 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. M. Illiyas

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 Commissioner of Police, Avadi City., in No.59/BCDFGISSSV/2024 dated 29.05.2024, is sought to be quashed in the present Habeas Corpus Petition.

2. The Special Report submitted by the Sponsoring Authority to the Detaining Authority for invoking Act 14 of 1982 is undated and deprived the detainee from making effective representation. That apart, the element of likelihood of causing breach of public order has not been sufficiently made out.



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3. Hence, for the aforesaid reason, the detention order passed by the second respondent in No.59/BCDFGISSSV/2024 dated 29.05.2024, is quashed and the Habeas Corpus Petition stands allowed. The detenue, viz., Rishi @ Rishikaran, Male, aged about 22 years S/o Suresh, who is confined at Central Prison 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

To

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