



HCP.No.1652 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.08.2024

CORAM :

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

H.C.P.No.1652 of 2024

Ramar

.... Petitioner

Vs

1 The State Rep By
Secretary to Government,
Home Prohibition and Excise Department,
Secretariat, Chennai-9

2 The District Collector and District Magistrate,
Cuddalore District,
Cuddalore.

3 The Superintendent of Police
Cuddalore

4 The Superintendent of Prison
Central Prison,
Cuddalore.

5 The Inspector Of Police
Neyveli Township Police Station,
Cuddalore District.

.... 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 entire records relating to the detention order dated 28.05.2024 in C3/D.O.49/2024 passed by the 2nd respondent herein and quash the same and direct the respondents to produce the body of the detenu, Thiru.Rajasekar, Male, Hindu, age 33 years, S/o.Ramar, who has been detained in the Central Prison, Cuddalore, before this Hon'ble Court and set the petitioners son at liberty.

For Petitioner : Mr. S.C.Vishwanth
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 District Collector and District Magistrate, Cuddalore District, Cuddalore, in C3/D.O./49/2024 dated 28.05.2024, is sought to be quashed in the present Habeas Corpus Petition.

2. The order of remand has not been translated in the language known to the detenue.



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3. The non supply of translated version of the Order of Remand caused prejudice to the detinue for submitting effective representation, which is a valuable right provided to the detinue under the Act.

4. Hence, for the aforesaid reason, the detention order passed by the second respondent in C3/D.O./49/2024 dated 28.05.2024 is quashed and the Habeas Corpus Petition is allowed. The detinue, viz., Rajasekar, Male, Hindu, age 33, S/o.Ramar, now confined in the Central Prison, Cuddalore, 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.]

30.08.2024

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

To

1. The Secretary to Government,
Home Prohibition and Excise Department,
Secretariat, Chennai-9
- 2 The District Collector and District Magistrate,
Cuddalore District,
Cuddalore.



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

mrp

- 3 The Superintendent of Police
Cuddalore
- 4 The Superintendent of Prison
Central Prison,
Cuddalore.
5. The Inspector Of Police
Neyveli Township Police Station,
Cuddalore District.
6. The Joint Secretary to Government,
Public (Law & Order),
Fort St. George, Chennai.
7. The Public Prosecutor,
High Court, Madras.

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