



WEB COPY



HCP.No.1686 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.1686 of 2024

Megala

.... Petitioner

Vs

1 The State of Tamil Nadu,  
Rep. By the Secretary,  
Home, Prohibition and Excise Department ,  
Fort St.George,  
Chennai - 600 009.

2 The Commissioner of Police,  
Greater Chennai,  
Office of the Commissiioner of Police (Goondas Section),  
Veppery, Chennai – 600 007.

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

4. The Inspector of Police,  
S-9, Pazhavanthangal Police Station,  
Chennai

.... Respondents



HCP.No.1686 of 2024

**PRAYER:** Petition filed under Article 226 of Constitution of India to issue a Writ of Habeas Corpus to call for the records relating to the detention order vide BCDFGISSSV No. 458/2024 dated 06.05.2024 passed by the second respondent and quash the same and direct the respondents herein to produce the petitioner's husband namely Vasanthakumar @ Thondai Appunu S/o. Palayam, aged 39 years ( who is presently under going detention in the Central Prison, Puzhal), before this Hon'ble Court and set her at liberty.

For Petitioner : Mr. N. Arun Kumar  
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, Greater Chennai, in BCDFGISSSV No. 458/2024 dated 06.05.2024, is sought to be quashed in the present Habeas Corpus Petition.

2. The Special Report submitted by the Sponsoring Authority is undated. That apart, the detenue has been arrested on 03.04.2024 and the impugned order of detention has been issued on 06.05.2024. The above lapses on the part of the authority would be sufficient for the purpose of setting aside the order of detention.



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3.Hence, for the aforesaid reason, the detention order passed by the second respondent in BCDFGISSSV No. 458/2024 dated 06.05.2024 is quashed and the Habeas Corpus Petition is allowed. The detenue, viz., Vasanthakumar @ Thondai Appunu S/o. Palayam, aged 39 years ( who is presently under going detention in the Central Prison, Puzhal) 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

1. The Secretary,  
Home, Prohibition and Excise Department ,  
Fort St.George, Chennai - 600 009.
- 2 The Commissioner of Police,  
Greater Chennai,  
Office of the Commisiioner of Police (Goondas Section),  
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**S.M.SUBRAMANIAM, J.**  
**AND**  
**V.SIVAGNANAM, J.**

mrp

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