



WEB COPY



HCP.No.1783 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.1783 of 2024

S.Renuka

.... Petitioner

Vs

1 The State Of Tamil Nadu
Rep. By the Secretary To he Government,
Prohibition & Excise Department,
Fort St. George
Chennai 600 009

2 The Commissioner of Police
Greater Chennai,
Chennai 600007

3 The Superintendent of Prison
Central Prison Puzhal,
Chennai 600066

4 The Inspector Of Police
G-7 Chetpet Police Station,
Chennai 600031

.... Respondents

PRAYER: Petition filed under Article 226 of Constitution of India to issue a Writ of Habeas Corpus to call for the records pertaining to the memo no. 337/BCDFGISSSV/2024 dated 10.04.2024 on the file of the 2nd respondent



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herein and set aside the same and direct the respondents herein to produce the petitioner's husband Sugu @ Sugumaran, Son of Anbarasan, aged 35 years now confined in Central Prison, Chennai before the Hon'ble Court and set him at liberty.

For Petitioner : Mr. Charles Kamalesh M.Appaji

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 Memo No. 337/BCDFGISSSV/2024 dated 10.04.2024, 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.

3. Hence, for the aforesaid reason, the detention order passed by the second respondent in Memo No. 337/BCDFGISSSV/2024 dated 10.04.2024 is quashed and the Habeas Corpus Petition is allowed. The detainee, viz., Sugu @



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Sugumaran, Son of Anbarasan, aged about 35 years, now confined in 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

- 1 The Secretary to the Government,
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Chennai 600 009
- 2 The Commissioner of Police
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S.M.SUBRAMANIAM, J.



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AND
V.SIVAGNANAM, J.

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