



HCP.No.1679 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.1679 of 2024

Dhanus @ Dhanushkodi

... Petitioner

Vs

1. The Principal Secretary to Government,
State of Tamil Nadu,
Home, Prohibition and Excise Department,
Fort St.George,
Chennai-600 009.
 - 2 The District Collector and District Magistrate,
Office of the District Collector and District Magistrate,
Nagapattinam,
Nagapattinam District.
 - 3 The Superintendent of Police
Office of the Superintendent of Police,
Nagapattinam.
 - 4 The Superintendent of Prison
Trichy Central Prison,
Trichy District.
 - 5 The Inspector of Police
Vedaranyam Police Station,
Nagapattinam District.
- Respondents



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PRAYER: Petition filed under Article 226 of Constitution of India to issue a Writ of Habeas Corpus, Call for the entire records connected with the detention order of the Respondent No.2 in COC. No.11/2024 dated 30.05.2024 and quash the same and direct the respondents to produce the body or person of the detainee by name Dhanus @ Dhanushkodi, son of Govindan, aged about 36 yrs, now detained as Goonda at Trichy Central Prison before this Honble Court and set him at Liberty.

For Petitioner : Mr. D.R. Alagumani
For Respondents : Mr.E.Raj Thilak
Additional Public Prosecutor

ORDER

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

The order of detention passed by the District Collector and District Magistrate, Nagapattinam in proceedings C.O.C.No.11/2024, dated 30.05.2024 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 detainee had been arrested on 19.03.2024, however the impugned order of detention has been issued on 30.05.2024, after a lapse of more than two months.



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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 proceedings C.O.C.No.11/2024, dated 30.05.2024 is quashed and the Habeas Corpus Petition is allowed. The detainee, viz., Dhanus @ Dhanushkodi, son of Govindan, aged about 36 years, now detained as Goonda at Trichy Central Prison, 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.]

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



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Chennai-600 009.
- 2 The District Collector and District Magistrate,
Nagapattinam,
Nagapattinam District.
- 3 The Superintendent of Police
Nagapattinam,
Nagapattinam District ,
- 4 The Superintendent of Prison
Central Prison,
Thiruchirappalli,
Trichy District.
- 5 The Inspector of Police
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S.M.SUBRAMANIAM, J.
AND
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