



WEB COPY



HCP.No.1683 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.1683 of 2024

Mrs. Kaveri

.... Petitioner

Vs

- 1 The State rep. By its,
The Principal Secretary to Government,
Home, Prohibition and Excise(XVI) Department ,
Fort St.George, Secretariat, Chennai - 600 009.
- 2 The District Collector and District Magistrate,
Office of the District Collector,
Coimbatore District.
- 3 The Superintendent of Police,
Office of the Superintendent of Police,
Coimbatore District.
- 4 The Superintendent of Prison,
Central Prison at Coimbatore,
Gandhipuram, Coimbatore-18.
5. The Inspector of Police,
Madukkarai Police Station,
Coimbatore 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 records in Detention order in CrI.M.P.No.26/D.O/2024 dated 30.05.2024 on the file of the 2nd respondent and SET ASIDE the same and direct the respondents herein to produce the body of the Husband of the petitioner/detenu Mr.Rajendra Prasad S/o.Balasubramaniam aged 64 years, now confined in Central prison at Coimbatore before this Honble Court and set him at liberty .

For Petitioner : Mr. S.V. Karthikeyan
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, Coimbatore in Cr.M.P.No.26/D.O/2024 dated 30.05.2024, is sought to be quashed in the present Habeas Corpus Petition.

2. The two documents relating to List of Property sent to Magistrate and the Remand Order are illegible, which caused prejudice to the interest of the detenu to submit effective representation.



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3. Hence, for the aforesaid reason, the detention order passed by the second respondent in Cr.M.P.No.26/D.O/2024 dated 30.05.2024 is quashed and the Habeas Corpus Petition is allowed. The detenue, viz., Rajendra Prasad S/o.Balasubramaniam aged 64 years, now confined in Central prison at Coimbatore, 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 Principal Secretary to Government,
Home, Prohibition and Excise(XVI) Department ,
Fort St.George, Secretariat, Chennai - 600 009.
- 2 The District Collector and District Magistrate,
Office of the District Collector, Coimbatore District.
- 3 The Superintendent of Police,
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