



WEB COPY



HCP.No.1709 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.08.2024

CORAM :

**THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM**  
**AND**  
**THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR**

H.C.P.No.1709 of 2024

V.Hari

... Petitioner

*Vs.*

1. The Secretary to the Government,  
Home, Prohibition and Excise Department,  
Secretariat, Chennai - 600 009.
2. The District Collector & District Magistrate of  
Kallakurichi District, Kallakurichi.
3. The Superintendent of Police,  
Kallakurichi District, Kallakurichi.
4. The Superintendent of Prison,  
Special Prison for Women, Vellore.
5. The Inspector of Police,  
Kallakurichi Police Station,  
Kallakurichi District.

... Respondents

**PRAYER:** Petition filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, calling for the records in connection with the order of detention passed by the second respondent dated 04.07.2024 in



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D.O.No.C2/24/2024 against the petitioner's Auntie Gowri, Female, aged 53 years, D/o.Kaliyan, who is confined at Special Prison for Women, Vellore and set aside the same and direct the respondents to produce the detenu before the Court and set her at liberty.

For Petitioner : Mr.P.Raman  
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 second respondent in D.O.No.C2/24/2024 dated 04.07.2024, is sought to be quashed in the present Habeas Corpus Petition.

2.The arrest intimation served on the detenu has not been translated in the language known to the detenu, which would vitiate the entire proceedings.

3.The non supply of translated version of the abovesaid documents in the language known to the detenu caused prejudice to the detenu for submitting effective representation, which is a valuable right provided to the detenu under the Act.

4.Thus, the impugned order of detention in D.O.No.C2/24/2024 dated



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04.07.2024, is quashed and the Habeas Corpus Petition stands **allowed**. The  
detenue, namely, Gowri, Female, aged 53 years, D/o.Kaliyan, who is confined at  
Special Prison for Women, Vellore, is directed to be set at liberty forthwith unless  
he is otherwise required in connection with any other case.

[S.M.S., J.]

[N.S., J.]

29.08.2024

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

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**S.M.SUBRAMANIAM, J.**  
**AND**  
**N.SENTHILKUMAR, J.**

sli

To

1. The Secretary to the Government,  
Home, Prohibition and Excise Department,  
Secretariat, Chennai - 600 009.
2. The District Collector & District Magistrate of  
Kallakurichi District, Kallakurichi.
3. The Superintendent of Police,  
Kallakurichi District, Kallakurichi.
4. The Superintendent of Prison,  
Special Prison for Women, Vellore.
5. The Inspector of Police,  
Kallakurichi Police Station,  
Kallakurichi District.
6. The Public Prosecutor,  
High Court, Madras.

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