



WEB COPY



HCP.No.1730 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.08.2024

CORAM :

AND

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

H.C.P.No.1730 of 2024

Vijayalakshmi

.... Petitioner

Vs

1.The Principal Secretary to Government,
Home, Prohibition and Excise Department,
Fort. St.George, Chennai – 600 009.

2.The Commissioner of Police,
Avadi City.

3.The Superintendent, Central Prison,
Puzhal, Chennai – 66.

4.The Inspector of Police,
Prohibition Enforcement Wing,
Ambattur Unit.

.... Respondents

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 passed by the second respondent pertaining to the order made in B.C.D.F.G.I.S.S.V No.63/2024 dated 04.06.2024 in detain the detainee under 2 (e) of Tamil Nadu Act



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14 of 1982, as a DRUG OFFENDER and quash the same and direct the respondent to produce the detainee DHANUSH Son of EKAMBARAM aged about 25 years, who is detained at Central Prison, Puzhal, Chennai before this Hon'ble Court and set him at liberty.

For Petitioner : Mr. G.Nirmalkrishnan
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 Commissioner of Police, Avadi City, in B.C.D.F.G.I.S.S.S.V No.63/2024 dated 04.06.2024, 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 detainee has been arrested on 02.05.2024 and the impugned order of detention has been issued on 04.06.2024. 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. Accordingly, the impugned order of detention in B.C.D.F.G.I.S.S.V No.63/2024 dated 04.06.2024, is quashed and the Habeas Corpus Petition stands **allowed**. The detainee, namely, DHANUSH Son of EKAMBARAM aged about 25 years, confined at Central Prison, Puzhal, Chennai, is directed to be set at liberty forthwith unless he is otherwise required in connection with any other case.

[S.M.S., J.]

[V.S.G., J.]

sli

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

To

- 1.The Principal Secretary to Government,
Home, Prohibition and Excise Department,
Fort. St.George, Chennai – 600 009.
- 2.The Commissioner of Police,
Avadi City.
- 3.The Superintendent, Central Prison,
Puzhal, Chennai – 66.
- 4.The Inspector of Police,
Prohibition Enforcement Wing,
Ambattur Unit.
5. The Public Prosecutor, High Court, Madras.



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AND
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