



WEB COPY



HCP.No.1780 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.1780 of 2024

Poongavanam

.... Petitioner

Vs

- 1 The Principal Secretary To Government,
Home Prohibition and Excise Department,
Secretariat, Chennai - 600 009.
- 2 The Commissioner of Police
Tambaram City.
- 3 The Superintendent of Prison
Central Prison, Puzhal,
Chennai - 66.
- 4 The Inspector of Police, L & O,
T-5 Kundrathur Police Station
Chennai.

.... Respondents

PRAYER: Petition filed under Article 226 of Constitution of India to issue a Writ of Habeas Corpus to call for the records in Connection with the order of Detention



HCP.No.1780 of 2024

passed by the second respondent dated 18.03.2024 in BCDFGISSSV No.39/2024 against the Petitioner's son, namely Kaviyarasan, Male, aged 19 years, S/o.Poongavanam, who is confined at Central Prison, Puzhal, Chennai and set aside the same and direct the respondents to produce the detenue before the Hon'ble Court and set him at Liberty.

For Petitioner : Mr. S.Senthilvel
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, Tambaram City, in BCDFGISSSV No.39/2024 dated 18.03.2024, is sought to be quashed in the present Habeas Corpus Petition.

2. The detenue in this case is a school dropouts. The translated version of the Government Order conferring power of the detaining authority has not been given to the detenue.



HCP.No.1780 of 2024

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4. Hence, for the aforesaid reason, the detention order passed by the second respondent in BCDFGISSSV No.39/2024, dated 18.03.2024 is quashed and the Habeas Corpus Petition is allowed. The detainee, viz., Kaviyarasan, Male, aged about 19 years, S/o.Poongavanam, 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 Principal Secretary To Government,
Home Prohibition And Excise Department,

Page 3 of 5



Secretariat Chennai - 600 009.

WEB COPY



HCP.No.1780 of 2024



WEB COPY



HCP.No.1780 of 2024

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AND
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