



WEB COPY



HCP.No.1808 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.1808 of 2024

Lisha

... Petitioner

Vs.

1. The State of Tamil Nadu,
represented by its Additional Chief Secretary to Government,
Home, Prohibition and Excise Department,
Fort St.George, Chennai - 9.
2. The District Collector & District Magistrate,
Kallakurichi District, Kallakurichi.
3. The Superintendent of Police,
Kallakurichi District, Kallakurichi.
4. The Superintendent,
Central Prison, Cuddalore.
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 of the detention made in



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D.O.No.C2/23/2024 dated 04.07.2024, on the file of the second respondent herein and set aside the same and direct the respondents to produce the detenu Thiru.Sathiyaraj, S/o.Sankar, aged 26 years, now confined in Central Prison, Cuddalore and set aside the same and direct the respondents to produce the detenue before the Court and set him at liberty.

For Petitioner : Mr.R.Balakrishnan

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.C2/23/2024 dated 04.07.2024, is sought to be quashed in the present Habeas Corpus Petition.

2.The booklet served on the detenu is totally illegible, which caused prejudice to the detenu for submitting effective representation, which is a valuable right provided to the detenue under the Act.



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3. Thus, the impugned order of detention in D.O.No.C2/23/2024 dated 04.07.2024, is quashed and the Habeas Corpus Petition stands **allowed**. The detenue, namely, Thiru.Sathiyaraj, S/o.Sankar, aged 26 years, now confined in Central Prison, Cuddalore, 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 State of Tamil Nadu,
represented by its Additional Chief Secretary to Government,
Home, Prohibition and Excise Department,
Fort St.George, Chennai - 9.
2. The District Collector & District Magistrate,
Kallakurichi District, Kallakurichi.
3. The Superintendent of Police,
Kallakurichi District, Kallakurichi.
4. The Superintendent,
Central Prison, Cuddalore.
5. The Inspector of Police,
Kallakurichi Police Station,
Kallakurichi District.
6. The Public Prosecutor,
High Court, Madras.

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