



WEB COPY



HCP.No.1789 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.09.2024

CORAM :

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

H.C.P.No.1789 of 2024

Sivaranjani

... Petitioner

Vs.

- 1 The Secretary to Government,
Home, Prohibition and Excise Department,
Fort St.George, Chennai-600 009.
- 2 The Commissioner Of Police
Greater Chennai, Chennai District.
- 3 The Superintendent of Prison
Central Prison, Puzhal, Chennai.
- 4 The Inspector of Police
P-6 Kodungaiyur Police Station,
Chennai District, Chennai.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, to call for the records pertaining to the order of detention passed by the 2nd respondent in 657/BCDFGISSSV/2024, dated 11.06.2024 against the petitioner's son Aravindan, S/o.Saravanan, Male, aged 24 years, now



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confined in Central Prison, Puzhal, Chennai and set aside the same and direct the respondents to produce the detenu before this Court and set him at liberty.

For Petitioner : Mr.V.Karthick

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 657/BCDFGISSSV/2024, dated 11.06.2024, is sought to be quashed in the present Habeas Corpus Petition.

2.In the detention order, the authority relied on the bail granted in CrI.M.P.No.5525 of 2024. However, the copy of the similar bail order has not been furnished to the detenu along with the booklet served on him, which would vitiate the entire proceedings.

3.The non supply of the abovesaid document caused prejudice to the detenu for submitting effective representation, which is a valuable right provided to the detenu under the Act.



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4. Thus, the impugned order of detention in 657/BCDFGISSSV/2024, dated 11.06.2024, is quashed and the Habeas Corpus Petition stands **allowed**. The detinue, namely, Aravindan, S/o.Saravanan, Male, aged 24 years, now confined in 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.]

02.09.2024

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

To

- 1 The Secretary to Government,
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Greater Chennai, Chennai District.
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- 5 The Public Prosecutor,
High Court, Madras.



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