



HCP.No.1813 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.08.2024

CORAM :

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

H.C.P.No.1813 of 2024

S. Govindaraj @ Srinath

.... Petitioner

Vs

- 1 The Government of Tamilnadu,
Rep. By its Secretary To Government,
Home Prohibition and Excise Department,
Fort St George, Chennai 600 009
- 2 District Collector And District Magistrate,
Tiruvallur District
Tiruvallur
- 3 The Superintendent,
Women Special Prison,
Puzhal, Chennai 66
- 4 The Superintendent of Police,
Tiruvallur District,
Tiruvallur
- 5 The Inspector Of Police
Periyapalayam PEW,
Tiruvallur District.

.... Respondents



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PRAYER: Petition filed under Article 226 of Constitution of India to issue a Writ of Habeas Corpus to call for the entire records relating to the 2nd respondent culminating with the order of detention bearing B.C.D.F.G.I.S.S.V. NO. 24/2024 dated 16.07.2024 on the file of 2nd respondent detaining the petitioner mother under section act XIV OF 1982 and quash the same as illegal and consequently direct the respondents to produce the body of the person of the detenu, Alamelu w/o. Seenivasan, female aged about 45 years before this Hon'ble court now detained in the Woman Special Prison, Puzhal, Chennai and thereby set her at liberty.

For Petitioner : Mr. M. Jaikumar
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 District Collector and District Magistrate, Tiruvallur District, Tiruvallur, in B.C.D.F.G.I.S.S.V. NO. 24/2024 dated 16.07.2024, is sought to be quashed in the present Habeas Corpus Petition.



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WEB COPY 2. A Similar Case bail order in Page no.31 of Volume II, served on the detainee, has not been translated in the language known to the detainee and the same caused prejudice to the detainee for submitting effective representation, which is a valuable right provided to the detainee under the Act.

3. Hence, for the aforesaid reason, the detention order passed by the second respondent in B.C.D.F.G.I.S.S.V. No. 24/2024 dated 16.07.2024 is quashed and the Habeas Corpus Petition is allowed. The detainee, viz., Alamelu, W/o. Seenivasan, female, aged about 45 years, now detained in the Woman Special 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.]

30.08.2024

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



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To

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- 3 The Superintendent,
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- 4 The Superintendent of Police,
Tiruvallur District,
Tiruvallur
- 5 The Inspector Of Police
Periyapalayam PEW,
Tiruvallur District.
6. The Joint Secretary to Government,
Public (Law & Order),
Fort St. George, Chennai.
7. The Public Prosecutor,
High Court, Madras.



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S.M.SUBRAMANIAM, J.
AND
V.SIVAGNANAM, J.

mrp

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