



WEB COPY



HCP.No.1892 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.08.2024

CORAM :

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

H.C.P.No.1892 of 2024

Karthik

... Petitioner

Vs.

1. The State of Tamil Nadu,
Rep, by its Addl. Chief Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat, Chennai - 600 009.
2. The Commissioner of Police,
Greater Chennai,
Office of the Commissioner of Police, (Goondas Section)
Vepery, Chennai 600007.
3. The Superintendent of the Prison,
The Central Prison Puzhal,
Chennai -600 066.
4. The Inspector of Police,
F-1 Chintadripet Police Station,
Chintadripet Chennai 600 002.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, calling for the records relating to the detenu's detention order passed by the 2nd respondent in No.BCDFGISSSV No.331/2024 dated



HCP.No.1892 of 2024

09.04.2024 and set aside the same and produce the detinue Jayaseelan, Male, age 23 years, son of Palayam, now detained in Central Prison Puzhal, Chennai before this Court and set him at liberty.

For Petitioner : Mr.S.Elankumaran

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 No.BCDFGISSSV No.331/2024 dated 09.04.2024 is sought to be quashed in the present Habeas Corpus Petition.

2.The Government Order furnished to the detinue is in unknown language to the detinue, which would vitiate the entire proceedings.

3.The non supply of translated version of the Government Order in the language known to the detinue caused prejudice to the detinue for submitting effective representation, which is a valuable right provided to the detinue under the Act.

4.Thus, the impugned order of detention in No.BCDFGISSSV No.331/2024 dated 09.04.2024 is quashed and the Habeas Corpus Petition stands **allowed**. The



HCP.No.1892 of 2024

detenue, namely, Jayaseelan, Male, age 23 years, son of Palayam, now detained 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.]

20.08.2024

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

sli



WEB COPY



HCP.No.1892 of 2024

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

sli

To

1. The State of Tamil Nadu,
Rep, by its Addl. Chief Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat, Chennai - 600 009.
2. The Commissioner of Police,
Greater Chennai,
Office of the Commissioner of Police, (Goondas Section)
Vepery, Chennai 600007.
3. The Superintendent of the Prison,
The Central Prison Puzhal,
Chennai -600 066.
4. The Inspector of Police,
F-1 Chintadripet Police Station,
Chintadripet Chennai 600 002.
5. The Public Prosecutor,
High Court, Madras.

H.C.P.No.1892 of 2024

20.08.2024