



WEB COPY



HCP.No.1895 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.1895 of 2024

IDIRIS

... Petitioner

Vs.

1. The Secretary to the Government,
Home, Prohibition and Excise Department,
Secretariat, Chennai - 600 009.
2. The District Collector & District Magistrate of
Viluppuram District, Viluppuram.
3. The Superintendent of Police,
Viluppuram District, Viluppuram.
4. The Superintendent of Prison,
Central Prison, Cuddalore.
5. The Inspector of Police,
Viluppuram West Police Station,
Viluppuram District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, calling for the records in connection with the order of detention passed by the second respondent dated 30.06.2024 in Rc.No.C2/25/2024



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against the petitioner brother Irfan, Male, aged 46years, S/o.Anis, who is confined at 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.P.Raman
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 Rc.No.C2/25/2024, dated 30.06.2024, is sought to be quashed in the present Habeas Corpus Petition.

2.The bail order in the booklet served on the detenu has not been translated in the language known to the detenu, which would vitiate the entire proceedings.

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

4.Thus, the impugned order of detention in Rc.No.C2/25/2024, dated



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30.06.2024, is quashed and the Habeas Corpus Petition stands **allowed**. The
detenue, namely, Irfan, Male, aged 46years, S/o.Anis, who is confined at 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 Secretary to the Government,
Home, Prohibition and Excise Department,
Secretariat, Chennai - 600 009.
2. The District Collector & District Magistrate of
Viluppuram District, Viluppuram.
3. The Superintendent of Police,
Viluppuram District, Viluppuram.
4. The Superintendent of Prison,
Central Prison, Cuddalore.
5. The Inspector of Police,
Viluppuram West Police Station,
Viluppuram District.
6. The Public Prosecutor,
High Court, Madras.

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