



WEB COPY



HCP.No.1914 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.1914 of 2024

Dhanam

... Petitioner

Vs.

1. The Secretary to the Government,
Home, Prohibition and Excise Department,
Chennai - 600 009.
2. The Commissioner of Police,
Greater Chennai.
3. The Superintendent,
The Central Prison Puzhal.
4. The Inspector of Police,
P6 Kodungaiyur Police Station,
Chennai.

... 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 detenue's detention order passed by the 2nd respondent in No.640/BCDFGISSSV/2024 dated 07.06.2024 against the petitioner's son Thiru.Aravindan @ Aravind Son of Kuppan and set aside the same and set the detenu at liberty.



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For Petitioner : Mr.C.Jagan
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.640/BCDFGISSSV/2024 dated 07.06.2024 is sought to be quashed in the present Habeas Corpus Petition.

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

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

4.Thus, the impugned order of detention in No.640/BCDFGISSSV/2024 dated 07.06.2024 is quashed and the Habeas Corpus Petition stands **allowed**. The detainee, namely, Thiru.Aravindan @ Aravind, Son of Kuppan, aged about 28 years, now detained in Central Prison, Puzhal, Chennai, is directed to be set at



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liberty forthwith unless he is otherwise required in connection with any other case.

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[S.M.S., J.]

[V.S.G., J.]

20.08.2024

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

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To

1. The Secretary to the Government,
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2. The Commissioner of Police,
Greater Chennai.
3. The Superintendent,
The Central Prison Puzhal.
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Chennai.
5. The Public Prosecutor,
High Court, Madras.



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