



WEB COPY



HCP.No.1893 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.1893 of 2024

Lakshmi

.... Petitioner

Vs

- 1 . The State of Tamil Nadu,
Rep.by the Additional Chief Secretary to Government ,
Home, Prohibition and Excise Department
Fort St. George, Chennai - 600 009.
- 2 The Commissioner of Police,
Office of the Commissioner of Police,
Vepery, Chennai.
- 3 The Superintendent of Prison
Central Prison, Puzhal, Chennai - 600 066.
- 4 The Inspector of Police
E-4 Abhiramapuram Police Station,
Chennai.

.... Respondents

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 detention order in



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Memo No.634/BCDFGISSSV/2024 dated 06.06.2024 passed by the 2nd respondent under the Tamilnadu Act 14 of 1982 and set aside the same and direct the respondents to produce the detinue Mouli S/o. Muthu, aged about 25 yrs, now confined in Central Prison, Puzhal, Chennai, before this Hon'ble Court and set him at Liberty.

For Petitioner : Mr. V.Subash
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 Commissioner of Police, Office of the Commissioner of Police, Vepery, Chennai, in No.634/BCDFGISSSV/2024 dated 06.06.2024, is sought to be quashed in the present Habeas Corpus Petition.

2. Similar Bail order relied on by the detaining authority in the impugned order has been improperly translated in the language known to the detinue and the same caused prejudice to the detinue for submitting effective representation, which is a valuable right provided to the detinue under the Act.



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3. Hence, for the aforesaid reason, the detention order passed by the second respondent in No.634/BCDFGISSSV/2024 dated 06.06.2024 is quashed and the Habeas Corpus Petition is allowed. The detenue, viz., Mouli S/o. Muthu, aged 25 yrs, now confined in Central 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

To

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AND
V.SIVAGNANAM, J.

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- 4 The Inspector of Police
E-4 Abhiramapuram Police Station,
Chennai.
5. The Joint Secretary to Government,
Public (Law & Order),
Fort St. George, Chennai.
6. The Public Prosecutor,
High Court, Madras.

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