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HCP.No.1932 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.1932 of 2024

P.Radha

... Petitioner

Vs.

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



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detention passed by the second respondent dated 05.06.2024 in C3/D.O.No.53/2024 against the petitioner Son Vinoth @ Vinoth Kumar, Male, aged 25 years, S/o.Perumal, 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.D.Balaji
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 C3/D.O.No.53/2024 dated 05.06.2024, is sought to be quashed in the present Habeas Corpus Petition.

2.The surrender form/documents from page Nos.23 to 28 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



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4.Thus, the impugned order of detention in C3/D.O.No.53/2024 dated 05.06.2024, is quashed and the Habeas Corpus Petition stands **allowed**. The detainee, namely, Vinoth @ Vinoth Kumar, Male, aged 25 years, S/o.Perumal, now detained in 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.]

[V.S.G., J.]

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

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

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To

1. The Secretary to the Government,
Home, Prohibition and Excise Department,
Secretariat, Chennai - 600 009.
2. The District Collector & District Magistrate,
Cuddalore District, Cuddalore.
3. The Superintendent of Police,
Cuddalore District, Cuddalore.
4. The Superintendent of Prison,
Central Prison, Cuddalore – 4.
5. The Inspector of Police,
Panruti Police Station,
Cuddalore District.
6. The Public Prosecutor,
High Court, Madras.

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