



WEB COPY



HCP.No.1964 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.1964 of 2024

Thangam

... Petitioner

Vs.

1.The Additional Chief Secretary to the Government,
Home, Prohibition and Excise Department,
Secretariat, Chennai -9.

2.The District Collector cum District Magistrate,
Office of the District Collector cum District Magistrate.
Ariyalur District, Ariyalur.

3.The Superintendent,
Central Prison,
Tiruchirappalli.

4.The Superintendent of Police,
Ariyalur, Ariyalur District.

5.The Inspector of Police,
Ariyalur Police Station,
Ariyalur.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, to call for the records pertaining to the detention order in Cr.M.P.No.16/2024 dated 14.06.2024 passed by the 2nd respondent and set aside the same by setting the detainee, namely, Mahadevan @ Madhavan Son of



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Mannudaiyan, aged 48 years and set him at liberty, now detained at Central Prison, Tiruchirappalli.

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For Petitioner : Ms.V.Gayathri
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 Cr.M.P.No.16/2024, dated 14.06.2024, 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 Cr.M.P.No.16/2024 dated 14.06.2024, is quashed and the Habeas Corpus Petition stands **allowed**. The detainee, namely, Mahadevan @ Madhavan Son of Mannudaiyan, aged 48 years,



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now detained in Central Prison, Tiruchirappalli, 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

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

To

1.The Additional Chief Secretary to the Government,
Home, Prohibition and Excise Department,
Secretariat, Chennai -9.

2.The District Collector cum District Magistrate,
Office of the District Collector cum District Magistrate.
Ariyalur District, Ariyalur.

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5.The Inspector of Police,
Ariyalur Police Station, Ariyalur.

6.The Public Prosecutor,
High Court, Madras.



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S.M.SUBRAMANIAM, J.
AND
N.SENTHILKUMAR, J.

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