



WEB COPY



HCP.No.2002 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.09.2024

CORAM :

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

H.C.P.No.2002 of 2024

R.Padmavathi

... Petitioner

Vs.

1.The Secretary to the Government,
Government of Tamil Nadu,
Home, Prohibition and Excise Department,
Secretariat, Fort St.George, Chennai - 600 009.

2.The District Collector and District Magistrate,
Chengalpattu District,
Chengalpattu.

3.The Superintendent of Police,
Chengalpattu District,
Chengalpattu.

4.The Inspector of Police,
Prohibition Enforcement Wing,
Mamallapuram @ Thirukalukundram,
Chengalpattu District.

5.The Superintendent of Prison,
Central Prison, Puzhal,
Chennai 600066.

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, calling for the entire records connected with the order of the 2nd respondent herein in CPT No.16/2024 dated 27.07.2024 passed against the detenu namely RAJENDRAN @ POOCHI RAJENDRAN son of Venkatesan aged about 50 years as a BOOTLEGGER who is confined at Central Prison, Puzhal, Chennai - 600 066 and set aside the same, consequently, directing the respondents herein to produce the body and person of the detenu before this Court and set him at liberty forthwith.

For Petitioner	: Mr.A.Murugavel
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 CPT No.16/2024 dated 27.07.2024, is sought to be quashed in the present Habeas Corpus Petition.

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

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



HCP.No.2002 of 2024

4.Thus, the impugned order of detention in CPT No.16/2024 dated 27.07.2024, is quashed and the Habeas Corpus Petition stands **allowed**. The detenu, namely, RAJENDRAN @ POOCHI RAJENDRAN, son of Venkatesan, aged about 50 years, who is confined at Central Prison, Puzhal, Chennai, 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.]

sli

09.09.2024

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

To

1.The Secretary to the Government,
Government of Tamil Nadu,
Home, Prohibition and Excise Department,
Secretariat, Fort St.George, Chennai - 600 009.

2.The District Collector and District Magistrate,
Chengalpattu District, Chengalpattu.

3.The Superintendent of Police,
Chengalpattu District, Chengalpattu.

4.The Inspector of Police,
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5.The Superintendent of Prison,
Central Prison, Puzhal,
Chennai 600066.

6.The Public Prosecutor,
High Court, Madras.

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(1/2)