



HCP.No.2154 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.09.2024

CORAM :

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE MRS. JUSTICE N.MALA

H.C.P.No.2154 of 2024

Indira

... Petitioner

Vs.

1.The Additional Chief Secretary to the Government,
Home, Prohibition and Excise Department,
Fort St.George, Chennai - 600 009.

2.Commissioner of Police,
Greater Chennai.

3.The Superintendent, Central Prison,
Puzhal, Chennai 66.

4.The Inspector of Police,
Law and Order,
E-4, Abiramapuram 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 detention order passed by the second respondent pertaining to the order made in BCDFGISSSV No.565/2024 dated 22.05.2024 in detaining the detenu under 2 (f) of Tamil Nadu Act 14 of 1982, as a Goonda and quash the same and direct the respondents to produce the detenu Pravin Son of Siva aged about 30 years who is detained at Central Prison, Puzhal before this Court and set him at liberty.



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For Petitioner : Mr.G.Nirmal Krishnan
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 BCDFGISSSV No.565/2024 dated 22.05.2024, 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.

4.Thus, the impugned order of detention in BCDFGISSSV No.565/2024 dated 22.05.2024, is quashed and the Habeas Corpus Petition stands **allowed**. The detenue, namely, Pravin Son of Siva aged about 30 years, who is confined at Central Prison, Puzhal, Chennai, is directed to be set at liberty forthwith unless he



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is otherwise required in connection with any other case.

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[S.M.S., J.]

[N.M., J.]

sli

18.09.2024

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

To

1.The Additional Chief Secretary to the Government,
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2.Commissioner of Police,
Greater Chennai.

3.The Superintendent, Central Prison,
Puzhal, Chennai 66.

4.The Inspector of Police,
Law and Order,
E-4, Abiramapuram Police Station,
Chennai.

5.The Public Prosecutor,
High Court, Madras.

S.M.SUBRAMANIAM, J.
AND



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N.MALA, J.

sli

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