



HCP.No.2327 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.10.2024

CORAM :

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

H.C.P.No.2327 of 2024

Kannagi

.... Petitioner

Vs

- 1 The Additional Chief Secretary to the Government,
Home, Prohibition & Excise Department,
Fort St. George, Chennai 600 009.
2. The Commissioner of Police,
Greater Chennai.
- 3 The Superintendent,
Central Prison, Puzhal,
Chennai. 600 066
4. The Inspector of Police,
F-4 Thousand light Police Station,
Chennai

.... Respondents



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PRAYER: Petition filed under Article 226 of Constitution of India to issue a Writ of Habeas Corpus to call for the records relating to the detention order passed by the second respondent pertaining to the order made in BCDFGISSSV No.743 of 2024, dated 29.06.2024 in detain the detenu under 2 (f) of Tamil Nadu Act 14 of 1982, as a Goonda and quash the same and direct the respondent to produce my son Tamilselvan, S/o. Gandhi, aged about 32 years, who is detained at Central Prison, Puzhal, Chennai, before the Court and set him at liberty.

For Petitioner	: Mr. P. Sundarrajan
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, Greater Chennai, in BCDFGISSSV No.743 of 2024, dated 29.06.2024, is sought to be quashed in the present Habeas Corpus Petition.

2. The 161(iii) Cr.P.C. statement recorded by the Sponsoring Authority is undated. The above lapses on the part of the authority would be sufficient for the purpose of setting aside the order of detention.



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3. Accordingly, the detention order passed by the second respondent in BCDFGISSSV No.743 of 2024, dated 29.06.2024 is quashed and the Habeas Corpus Petition is allowed. The detenu, viz., Tamilselvan, S/o. Gandhi, aged 32 years, who is detained at 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.]

03.10.2024

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

mrp

To

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5. The Public Prosecutor,
High Court, Madras.

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

mrp

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