



WEB COPY



HCP.No.2324 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.2324 of 2024

Rangasamy

.... Petitioner

Vs

- 1 The Additional Chief Secretary to the Government,
Home, Prohibition & Excise Department,
Secretariat, Chennai 600 009.
2. The Commissioner of Police,
Greater Chennai,
Chennai.
- 3 The Superintendent of Prison,
Central Prison, Puzhal,
Chennai. 600 066
4. The Inspector of Police, (L & O)
J-4 Kotturpuram Police Station,
Chennai

.... Respondents

PRAYER: Petition filed under Article 226 of Constitution of India to issue a Writ of Habeas Corpus to call for the records in connection with the order of detention passed by the 2nd respondent dated 31.07.2024 in No.803/BCDFGISSSV/2024



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against the petitioner's son Thiru Ajay, male, aged 24, Son of Rengasamy, who is confined at Central Prison, Puzhal, Chennai and to set aside the same and consequently direct the respondents to produce the detenu before the Hon'ble Court and set him at liberty.

For Petitioner : Mr. A.Anandharaj
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 No.803/BCDFGISSSV/2024 dated 31.07.2024, is sought to be quashed in the present Habeas Corpus Petition.

2. The Special Report submitted by the Sponsoring Authority is undated. That apart, the detenu has been arrested on 26.06.2024 and the impugned order of detention has been issued on 31.07.2024. 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 No.803/BCDFGISSSV/2024 dated 31.07.2024 is quashed and the Habeas Corpus Petition is allowed. The detenu, viz., Ajay, male, aged 24, Son of Rengasamy, who is confined 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

1. The Additional Chief Secretary to the Government,
Home, Prohibition & Excise Department,
Secretariat, Chennai 600 009.
2. The Commissioner of Police,
Greater Chennai,
Chennai.
3. The Superintendent of Prison,
Central Prison, Puzhal,
Chennai. 600 066.
4. The Inspector of Police, (L & O)
J-4 Kotturpuram Police Station,
Chennai
5. The Public Prosecutor,
High Court, Madras.



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AND
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