



HCP.No.2432 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.10.2024

CORAM :

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

H.C.P.No.2432 of 2024

Kanagaraj

... Petitioner/Father of the
Detenu

Vs.

1. The Secretary to the Government,
Home, Prohibition and Excise Department,
Secretariat,
Chennai - 600 009.
2. Commissioner of Police/Detaining Authority,
Coimbatore City,
Coimbatore District.
3. The Superintendent,
Central Prison,
Coimbatore.
4. State represented by
The Inspector of Police,
E-2, Peelamedu Police Station,
Coimbatore District.

... Respondents



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PRAYER: Petition filed under Article 226 of the 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 23.04.2024 in C.No.36/G/IS/2024 as against the petitioner son K.Ganeshraj @ Jakku, M/20 years, Son of Kanagaraj, who is confined at Central Prison, Coimbatore and set aside the same and consequently direct the respondents to produce the detenu before this Court and set him at liberty.

For Petitioner	: Mr.A.Saranraj
For Respondents	: Mr. E. Raj Thilak Additional Public Prosecutor

ORDER

(Order of the Court was made by *S.M.SUBRAMANIAM, J.*)

The preventive detention order passed by the second respondent dated 23.04.2024 is sought to be quashed in the present habeas corpus petition.

2. Heard the learned counsel for the petitioner, as well as the learned Additional Public Prosecutor appearing for the respondents.

3. Three adverse cases are relied on and all the cases were registered in the year 2023. Perusal of the adverse case and the ground case can be dealt with by the Police Authorities under the law of the land. The detenu was arrested on 31.03.2024 and the detention order was issued on



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23.04.2024. The detenu is under preventive detention for about seven months.

4. Considering the fact that the preventive detention has already been effective for about seven months, we are inclined to consider the present habeas corpus petition.

5. Accordingly, the detention order passed by the second respondent in proceedings C.No.36/G/IS/2024 dated 23.04.2024 is hereby set aside and the Habeas Corpus Petition is **allowed**. The detenu viz., K.Ganeshraj @ Jakku, aged 20 years, S/o. Kanagaraj confined at Central Prison, Coimbatore is directed to be set at liberty forthwith, unless his confinement is required in connection with any other case.

[S.M.S., J.] [V.S.G., J.]
19.10.2024

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



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To

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1. The Secretary to the Government,
Home, Prohibition and Excise Department,
Secretariat,
Chennai - 600 009.
2. The Joint Secretary to Government,
Public (Law and Order) Department,
Fort St.George, Chennai - 9
3. Commissioner of Police/Detaining Authority,
Coimbatore City,
Coimbatore District.
4. The Superintendent,
Central Prison,
Coimbatore.
5. State represented by
The Inspector of Police,
E-2, Peelamedu Police Station,
Coimbatore District.
6. The Public Prosecutor,
Madras High Court,
Chennai - 104.



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AND
V.SIVAGNANAM, J.

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