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H.C.P.No.2641 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.11.2024

CORAM :

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM
AND
THE HON'BLE MR.JUSTICE M.JOTHIRAMAN

H.C.P.No.2641 of 2024

S.Savitha

.. Petitioner

v.

1. The State of Tamil Nadu
rep by its Secretary to Government (Home)
Prohibition and Excise Department
Fort St.George, Chennai 600 009

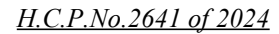
2. The Commissioner of Police
Greater Chennai Police
Chennai

3. The Superintendent of Prison
Central Prison, Puzhal
Chennai District

4. The Inspector of Police
Anti Vice Squad-I
Greater Chennai Police
Chennai

.. Respondents

Petition filed under Article 226 of the Constitution of India, praying



For Petitioner	::	Mr.M.Jaikumar for Mr.E.Vinothkumar
For Respondents	::	Mr.R.Muniyapparaj Additional Public Prosecutor

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

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

3. The impugned detention order dated 20.09.2024 has been improperly translated in the language known to the detenu i.e., Tamil. In



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other words, the translation made in vernacular language is not in consonance with the impugned detention order issued in English. This improper translation caused prejudice to the detenu to submit an effective representation, which is a valuable right conferred under the provisions of the Act 14 of 1982. Thus we are inclined to interfere with the impugned order.

4. Accordingly, the detention order passed by the second respondent in proceedings No.988/BCDFGISSSV/2024 dated 20.09.2024 is quashed and the habeas corpus petition is allowed. The detenu viz., Subhash, aged 29 years, S/o Shanmugam, who is confined at Central Prison, Puzhal, Chennai is directed to be set at liberty forthwith, unless his confinement is required in connection with any other case.

Index : yes

(S.M.S.,J.)

(M.J.R.,J.)

Neutral citation : yes/no

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SS



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To

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1. The Secretary to Government (Home)
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Fort St.George, Chennai 600 009
2. The Commissioner of Police
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Chennai
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Chennai
5. The Public Prosecutor
High Court, Madras



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S.M.SUBRAMANIAM,J.

AND

M.JOTHIRAMAN,J.

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