



WEB COPY



HCP.No.2665 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.12.2024

CORAM :

**THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE MR. JUSTICE M.JOTHIRAMAN**

H.C.P.No.2665 of 2024

Pushparani

...

Petitioner

Vs.

1.The Principal Secretary to Government,
Home, Prohibition and Excise (XVI) Dept.,
Fort St.George, Secretariat, Chennai – 600 009.

2.The Commissioner of Police,
Office of the Commissioner of Police,
Avadi City.

3.The Superintendent of Prison,
Central Prison at Puzhal, Chennai – 066.

4.The Inspector of Police,
Job Racket Wing, CCB, Avadi City.

...

Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, calling for the records in Detention order in No.161/BCDFGISSSV/2024 dated 12.09.2024 on the file of the 2nd respondent and set aside the same and direct the respondents herein to produce the son of the petitioner/detenu Mr.Karthikeyan S/o. Kandhasamy, aged 33 years now confined in Central Prison at Puzhal before this Hon'ble Court and set him at liberty.

For Petitioner

: Mr.M.Mohamed Saifulla



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For Respondents

: Mr.R.Muniyapparaj
Additional Public Prosecutor

ORDER

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

The order of detention passed by the second respondent in No.161/BCDFGISSSV/2024 dated 12.09.2024 is sought to be quashed in the present Habeas Corpus Petition.

2.Three adverse cases have been relied upon for the purpose of issuing the impugned detention order. The cases are mostly registered under Section 420 IPC.

3.The learned counsel appearing for the petitioner would submit that the detainee is seriously ill and admitted in the hospital.

4.On verification, the learned Additional Public Prosecutor would submit that the detainee is seriously ill and taking treatment. The medical report issued by the department of General Medicine Government Stanley Medical College has been submitted.



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5.Taking note of the health grounds of the detainee and considering the fact that there is no immediate likelihood of causing any breach of public order. We are inclined to consider the present petition.

6.Thus, for the aforesaid reason, the detention order passed by the second respondent in No.161/BCDFGISSSV/2024 dated 12.09.2024 is quashed and the Habeas Corpus Petition is allowed. The detainee, viz., Karthikeyan, Male, aged 33 years, S/o. Kandhasamy, confined at Central Prison, Puzhal, Chennai, is directed to be set at liberty forthwith, unless he is required in connection with any other case, on condition that the detainee shall surrender his passport to the Investigation Officer in crime No.56 of 2024 on the file of the Central Crime Branch, Avadi Police Station.

Index	:	Yes/No	[S.M.S., J.]	[M.J.R., J.]
Speaking Order	:	Yes/No	03.12.2024	
Neutral Citation	:	Yes/No		

sms

To

1.The Principal Secretary to Government,
Home, Prohibition and Excise (XVI) Dept.,

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Avadi City.
- 3.The Superintendent of Prison,
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- 4.The Inspector of Police,
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- 5.The Public Prosecutor,
Madras High Court.



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S.M.SUBRAMANIAM, J.
AND
M.JOTHIRAMAN, J.

sms

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