



HCP.No.2780 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.12.2024

CORAM :

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

H.C.P.No.2780 of 2024

M.Sugasini

... Petitioner/Wife of the
detenu

Vs.

1. The Secretary to the Government,
Home, Prohibition and Excise Department,
Secretariat, Chennai - 600 009.
2. District Collector and District Magistrate of
Ranipet District,
Ranipet - 1.
3. The Superintendent of Police,
Ranipet District, Ranipet.
4. The Superintendent of Prison,
Central Prison, Vellore.
5. The Inspector of Police,
Walajapet Police Station,
Ranipet District.

... Respondents



HCP.No.2780 of 2024

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 second respondent dated 14.10.2024 in B3/D.O.No.76/2024 against the petitioner's husband Madhan, Male, aged 33 years, S/o. Raja, who is confined at Central Prison, and set aside the same and direct the respondents to produce the detenu before the Court and set him at liberty.

For Petitioner	: Mr.S.Selvakumar
For Respondents	: Mr. R.Muniyapparaj 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 14.10.2024 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. Though several grounds are raised in this petition, the learned counsel for the petitioner would mainly contend that statements enclosed at page nos.69 to 71 in Volume - II of the booklet served on the detenu is undated.



HCP.No.2780 of 2024

4. The subjective satisfaction arrived at by the detaining Authority based on a document which is not dated, would vitiate the detention order.

Therefore, we are inclined to interfere with the order impugned.

5. Accordingly, the detention order passed by the second respondent in proceedings B3/D.O.No.76/2024 dated 14.10.2024 is hereby set aside and the Habeas Corpus Petition is **allowed**. The detenu viz., Madhan, aged 33 years, S/o. Raja, confined at Central Prison, Vellore is directed to be set at liberty forthwith, unless he is required in connection with any other case.

[S.M.S., J.] [M.J.R., J.]
20.12.2024

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



HCP.No.2780 of 2024

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. District Collector and District Magistrate of
Ranipet District,
Ranipet - 1.
4. The Superintendent of Police,
Ranipet District, Ranipet.
5. The Superintendent of Prison,
Central Prison, Vellore.
6. The Inspector of Police,
Walajapet Police Station,
Ranipet District.
7. The Public Prosecutor,
Madras High Court,
Chennai - 104.



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HCP.No.2780 of 2024

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

veda

H.C.P.No.2780 of 2024

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