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H.C.P.No.2944 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.12.2024

CORAM:

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

H.C.P.No.2944 of 2024

Sathya

... Petitioner

Vs.

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

2.The Commissioner of Police,
Greater Chennai.

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

4.State rep. by the Inspector of Police,
R-2 Kodambakkam Police Station,
Chennai.

... Respondents

PRAYER: Habeas Corpus Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Habeas Corpus, calling for the records of the 2nd respondent pertaining to the order made in Memo



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No.1091/BCDFGISSSV/2024, dated 26.10.2024 in detaining the detenu under the Tamil Nadu Act 14/1982 as a brand of Goonda and quash the same and direct the respondents to produce the detenu, the petitioner's son Abinash, S/o.Krishnan, aged 24 years, who is detained at the Central Prison, Puzhal, Chennai, before this Court and set him at liberty.

For Petitioner : Mr.S.Karthick

For Respondents : Mr.R.Muniyapparaj
Additional Public Prosecutor

ORDER

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

The order of detention passed by the second respondent in proceedings No.1091/BCDFGISSSV/2024, dated 26.10.2024 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. The learned counsel for the petitioner submitted that in respect of the co-accused the Advisory Board has revoked the detention order.



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4. That being the factum brought to the notice of this Court, the impugned order challenged in the present petition also is liable to be quashed.

5. Accordingly, the detention order passed by the second respondent, in No.1091/BCDFGISSSV/2024 dated 26.10.2024, is hereby set aside and the Habeas Corpus Petition is allowed. The detenu viz., Abinash, S/o.Krishnan, aged 24 years, (who is presently under going detention in the 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.)

(M.J.R, J.)

18.12.2024

Index: Yes

Internet: Yes/No

Neutral Citation: Yes/No

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S.M.SUBRAMANIAM, J.
and
M.JOTHIRAMAN, J.

Sni

To

1.The Secretary to Government,
Home, Prohibition and Excise Department,
Fort St.George, Chennai – 600 009.

2.The Commissioner of Police,
Greater Chennai.

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

4.The Inspector of Police,
R-2 Kodambakkam Police Station,
Chennai.

5.The Public Prosecutor,
High Court of Madras, Chennai.

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