



WEB COPY



HCP.No.2965 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.12.2024

CORAM :

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

H.C.P.No.2965 of 2024

K.Ammu

... Petitioner /wife of the detenu

Vs

1. The State Represented By its
Additional Chief Secretary,
Prohibition And Excise Department,
Government Of Tamil Nadu ,
Fort St.George, Chennai - 600 009.
 - 2 The District Collector and District Magistrate,
Office Of The District Collector and District Magistrate,
Tirupathur District.
 - 3 The Superintendent of Prison ,
Central Prison,
Vellore - 632 002.
 - 4 The Inspector of Police
Vaniyambadi Town Police Station,
Tirupathur.
 - 5 Superintendent of Police,
Tirupathur District.
- ... Respondents



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PRAYER: Petition filed under Article 226 of Constitution of India to issue a Writ of Habeas Corpus, to call for the entire records pertaining to the order of detention dated 18.09.2024 passed by the 2nd Respondent bearing no.C3/D.O.No.48/2024 and to quash the same and produce the detenue John @ Rajkumar, Male, aged about 33 years, S/o.Kumar, before this Honble Court and set him at liberty forthwith from Central Prison, Vellore and pass such further or other orders as this Honble Court.

For Petitioner : Mr. V. Krishnamoorthy
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 in C3/D.O.No.48/2024, dated 18.09.2024 is sought to be quashed in the present Habeas Corpus Petition.

2. The learned Additional Public Prosecutor would submit that out of 4 accused in the ground case, in respect of 3 accused, the Advisory Board has revoked the order of detention. That being so, we are inclined to consider the present petition.



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3. Hence, for the aforesaid reason, the detention order passed by the second respondent in C3/D.O.No.48/2024, dated 18.09.2024 is quashed and the Habeas Corpus Petition is allowed. The detenu, viz., John @ Rajkumar, S/o.Kumar, aged 33 years, 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.]

10.12.2024

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

To

1. The Additional Chief Secretary,
Prohibition And Excise Department,
Government Of Tamil Nadu ,
Fort St.George, Chennai - 600 009.
- 2 The District Collector and District Magistrate,
Office Of The District Collector and District Magistrate,
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AND
M.JOTHIRAMAN, J.

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- 4 The Inspector of Police
Vaniyambadi Town Police Station,
Tirupathur.
- 5 Superintendent of Police,
Tirupathur District.
6. The Public Prosecutor,
High Court, Madras.

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