



WEB COPY



H.C.P.No.2980 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.12.2024

CORAM :

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

H.C.P.No.2980 of 2024

Vasanth  
W/o Murugan

.. Petitioner

v.

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

2. The Commissioner of Police / Detaining Authority  
Tiruppur City, Tiruppur District

3. The Superintendent of Prison  
Central Prison, Coimbatore  
Coimbatore District

4. State rep.by its  
The Inspector of Police  
Tiruppur South Police Station  
Tiruppur District

.. Respondents

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Habeas Corpus, to call for the entire records



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relating to the petitioner's son detention under Tamil Nadu Act 14 of 1982 vide detention order dated 14.09.2024 on the file of the second respondent herein made in proceedings Memo C.No.78/D.O./IS/Tiruppur City/ 2024, quash the same as illegal and consequently direct the respondents herein to produce the petitioner's son namely Jayakumar, S/o Murugan, aged 32 years, before this Hon'ble High Court and set the petitioner's son at liberty from detention, now the petitioner's son detained at Central Prison, Coimbatore.

For Petitioner :: Mr.W.Camyles Gandhi

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 C.No.78/D.O./IS/Tiruppur City/ 2024 dated 14.09.2024 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. Based on the ground case, the impugned detention order has been issued. The facts as narrated for registering the ground case would be



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insufficient to form an opinion that there is a likelihood of causing breach of public order warranting invocation of Act 14 of 1982. Since the ground case can be dealt with by the authorities under the law of the land, we are inclined to interfere with the impugned detention order.

4. Accordingly, the detention order passed by the second respondent in proceedings C.No.78/D.O./IS/Tiruppur City/ 2024 dated 14.09.2024 is hereby set aside and the habeas corpus petition is allowed. The detenu viz., Jayakumar, S/o Murugan, aged 32 years, now confined at Central Prison, Coimbatore is directed to be set at liberty forthwith, unless his confinement is required in connection with any other case.

Index : yes/no

(S.M.S.,J.)

(M.J.R.,J.)

Neutral citation : yes/no

17.12.2024

SS

To

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Home, Prohibition and Excise Department  
Secretariat, Fort St.George  
Chennai 600 009
2. The Commissioner of Police / Detaining Authority



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Tiruppur City, Tiruppur District

3. The Superintendent of Prison  
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Tiruppur District

5. The Public Prosecutor  
High Court, Madras



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S.M.SUBRAMANIAM,J.

AND

M.JOTHIRAMAN,J.

SS

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