



HCP.No.3040 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.3040 of 2024

Chinnaiya

... Petitioner /father of the detenu

Vs

1. The State Rep By its

The Additional Chief Secretary To Government (home)
Prohibition And Excise Department ,
Government Of Tamil Nadu,
Fort St. George , Chennai.

2 The Commissioner Of Police,
Detaining Authority,
Office Of The Commissioner Of Police,
Tiruppur City.

3 The Superintendent Of Prison,
Central Prison, Coimbatore.

4 The Inspector Of Police,
Nallur Police Station,
Tiruppur City.

... Respondents



HCP.No.3040 of 2024

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 22.10.2024 passed by the 2nd respondent in C.No.92/G/IS/Tiruppur city/2024 and Quash the same and produce the detenue Logeshwaran s/o. chinnaiya, aged about 29 years, before this Honourable court and set him at liberty and the detenue is now confined in Central Prison, Coimbatore.

For Petitioner : Mr. D. Mario Johnson

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 C.No.92/G/IS/Tiruppur city/2024, dated 22.10.2024 is sought to be quashed in the present Habeas Corpus Petition.

2. One adverse case relied on by the detaining authority has been registered on 24.11.2021 in Crime No.131 of 2021. The said case has no proximity with the ground case. The ground case was registered on 18.09.2024 in Crime No.710 of 2024 under Section 308 (5) BNS. The said case can be dealt with by the



HCP.No.3040 of 2024

authorities under the regular Penal Law. There is a delay in passing the impugned detention order.

3. Hence, for the aforesaid reason, the detention order passed by the second respondent in C.No.92/G/IS/Tiruppur city/2024, dated 22.10.2024 is quashed and the Habeas Corpus Petition is allowed. The detenu, viz., Logeshwaran s/o. chinnaiy, aged 29 years, confined at Central Prison, Coimbatore, 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

1. The Additional Chief Secretary To Government (home)
Prohibition And Excise Department ,
Government Of Tamil Nadu,
Fort St. George , Chennai.
- 2 The Commissioner Of Police,
Detaining Authority,
Office Of The Commissioner Of Police,
Tiruppur City.

