



H.C.P.No.3103 of 2024

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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.3103 of 2024

Kalpana

.. Petitioner

v.

1. The Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat, Chennai 600 009.
2. The Commissioner of Police/Detaining Authority,
Coimbatore City,
Coimbatore District
3. The Superintendent,
Central Prison,
Coimbatore.
4. State Rep. By
The Inspector of Police,
Variety Hall Road Police Station,
Coimbatore District.

.. Respondents



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Petition filed under Article 226 of 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 2nd respondent dated 12.01.2024 in C.No.01/G/IS/2024 against the petitioner son M.Muthukumar, M/43 years, Son of Murugesan, who is confined at Central Prison, Coimbatore and set aside the same and consequently, direct the respondents to produce the detainee before the Court and set her liberty.

For Petitioner :: Mr.A.Saranraj

For Respondents :: Mr.R.Muniyapparaj
Additional Public Prosecutor

ORDER

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

The petitioner/wife of the detainee has come forward with this petition challenging the detention order passed by the second respondent in proceedings C.No.01/G/IS/2024 dated 12.01.2024.

2. Heard the learned counsel for the petitioner as well as the learned Additional Public Prosecutor appearing for the respondents.



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3. The detenue was arrested on 25.12.2023 and one more week left for completion of one year of detention period. Therefore, we are inclined to interfere with the detention order.

4. Thus, the detention order passed by the second respondent in proceedings C.No.01/G/IS/2024 dated 12.01.2024 is hereby set aside and the habeas corpus petition is allowed. The detenu viz., M.Muthukumar, S/o.Murugesan, aged 43 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
Neutral citation : yes/no
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(S.M.S.,J.) (M.J.R.,J.)
17.12.2024



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To

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The Inspector of Police,
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5. The Public Prosecutor
High Court, Madras



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