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H.C.P.No.3119 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.12.2024

CORAM:

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

H.C.P.No.3119 of 2024

L.Shantha

... Petitioner

Vs.

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

2.The District Collector and District Magistrate,
Tiruvannamalai,
Tiruvannamalai District.

3.The Superintendent,
Central Prison,
Vellore, Vellore District.

4.The Superintendent of Police,
Tiruvannamalai,
Tiruvannamalai District.

5.The Inspector of Police,
Thanipadi Police Station,
Tiruvannamalai District.

... Respondents



H.C.P.No.3119 of 2024

PRAYER: Habeas Corpus Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Habeas Corpus, calling for the entire records connected with the order of detention passed by the 2nd respondent in D.O.No.28/2024-C2 dated 10.06.2024 and quash the same, consequently, directing the respondents to produce the detenu namely the petitioner's husband Lakshmanan, aged about 55 years, detained in the Central Prison, Vellore, before this Court and set him at liberty.

For Petitioner : Mr.E.Sathiyaraj

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 in D.O.No.28/2024-C2, dated 10.06.2024, 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.



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3. Since the detenu has already suffered preventive detention for about 7 months, we are inclined to consider this petition.

4. Accordingly, the detention order passed by the second respondent in D.O.No.28/2024-C2, dated 10.06.2024, is hereby set aside and the Habeas Corpus Petition is allowed. The detenu viz., Lakshmanan, S/o.Mottaiyan, aged about 55 years, (who is presently undergoing detention in 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.)

19.12.2024

Index: Yes/No

Internet: Yes/No

Neutral Citation: Yes/No

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

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To

- 1.The Secretary to Government,
Home, Prohibition and Excise Department,
Fort St.George, Chennai – 600 009.
- 2.The District Collector and District Magistrate,
Tiruvannamalai, Tiruvannamalai District.
- 3.The Superintendent,
Central Prison, Vellore, Vellore District.
- 4.The Superintendent of Police,
Tiruvannamalai, Tiruvannamalai District.
- 5.The Inspector of Police,
Thanipadi Police Station,
Tiruvannamalai District.
- 6.The Public Prosecutor,
High Court of Madras, Chennai.

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