



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Criminal Original Jurisdiction**

Friday, the Fourth day of October Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice C.V.KARTHIKEYAN

AND

The Hon`ble Ms.Justice R. POORNIMA

HCP(MD). No.846 of 2024

Nilofar

... Petitioner/Wife of Detenu

Vs

**1 The Additional Chief Secretary,
to the Government,
Home Prohibition and Excise Department,
Fort St George
Secretariat,
Chennai 600 009**

**2 The District Collector and District Magistrate,
Thiruvaur District
Thiruvaur**

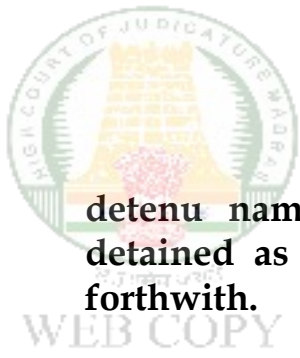
**3 The Inspector of Police
Nannilam All Women Police Station
Tiurvarur District.**

**4 The Superintendent of Prison
Central Prison,
Trichy District**

... Respondents

Prayer :-

This Habeas Corpus Petition is filed under article 226 of the Constitution of India, to the detention order in C.O.C.No.04/2024 dt 27.03.2024 and quash the same and consequently direct the 2nd respondent to produce the person of the



detenu namely Haja Najubudeen, S/o.Mohammed Arif aged 43 years now detained as Sexual Offender at Central Prison, Trichy and set him at liberty forthwith.

ORDER:- This Habeas Corpus Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Thiru.R.L.Dhilipan Pandian, Advocate for the Petitioner and of Thiru.S.Ravi, Additional Public Prosecutor for the respondent, this Court made the following order:

We are constrained to allow this petition, wherein, the detenu was branded as a Sexual Offender. But this HCP was allowed since there has been delay between the date on which the Under Secretary had dealt with the file and the date on which the Deputy Secretary had dealt with the file. The Under Secretary had dealt with the file on 04.07.2024 and the Deputy Secretary had dealt with the file on 12.07.2024. In between, there were two holidays, namely 06.07.2024 and 07.07.2024. Still there has been a delay of 5 days.

2.Let an affidavit be filed by the Under Secretary and also by the Deputy Secretary independently before this Court explaining the delay.

3.For filing such affidavits, list the matter under the caption 'For compliance' on 23.10.2024.

Sd/-

Assistant Registrar ()

// True Copy //

/10/2024

Sub Assistant Registrar
(CS-1/II/III/IV)



To

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

2.The Deputy Secretary,
Home, Prohibition and Excise Department,
Fort St George,
Secretariat,
Chennai 600 009.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER DATED : 04/10/2024

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ORDER

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HCP(MD). No.846 of 2024

BV(10/10/2024) 3P/ 4C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.