



HCP(MD). No.936 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Criminal Original Jurisdiction

Tuesday, the Third day of September Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice C.V.KARTHIKEYAN
AND
The Hon`ble Mr.Justice J.SATHYA NARAYANA PRASAD

HCP(MD). No.936 of 2024

Kottayammal ... Petitioner/Mother of detenue

Vs

- 1 The Principal Secretary to Government,
Home Prohibition and Excise Department,
Secretariat , Chennai
- 2 The District Magistrate and
The District Collector Ramanathapuram ,
Ramanathapuram District.
- 3 The Superintendent,
Central Prison, Madurai. ... Respondents

Prayer :-

Petition filed under Article 226 of the Constitution of India, to issue a writ of Habeas Corpus to call for the records relating to the detention order passed by the



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Second Respondent in SR.No.02/Goonda/2024 dated 22.02.2024 and quash the same as illegal and direct the respondents to produce the detenu Vettupuli @ Sakthivel, S/o.Marimuthu, aged 24 years, who is detained at Central prison, Madurai before this court and set him at liberty.

ORDER:- This 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 Mr.R.Balamuruganantham, Advocate for the Petitioner and of Mr. S.Ravi, Additional public Prosecutor for the respondents, this Court made the following order:

“We are quite distressed with the fact that HCP(MD No.936 of 2024 had to be allowed on the ground that though remand warrant had been issued by the learned Judicial Magistrate, Kadaladi on 27.01.2024 authorizing the Superintendent, Sub Jail, Muthukulatur to remand the accused Sakthivel @ Vettupuli, S.o. MarimuthuKoorankottai, Kadaladi Taluk, Ramnad District, who was an accused in Sayalkudi Police Station in Crime No. 25 of 2024 for the offences under Sections 294 (b),323,324,427 and 506(2) of IPC and to detain the said accused in custody for a period of 28 days and to produce him on 23.02.2024 at 10.30 a.m., the initial order of remand after the said warrant had been executed by the prison authorities had not been passed by the learned Judicial Magistrate.

2. The Registry may call for explanation from the learned Judicial Magistrate, Kadaladi as to how he granted extension of remand when he had not ordered initial remand of the said accused/ Sakthivel @ Vettupuli in Crime No. 25 of 2024 registered by Sayalkudi Police Station for the offences under Section 294(b),

<https://www.mhc.tn.gov.in/judis>



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323,324,427 and 506(2) of IPC. The said explanation should be forwarded through

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proper channel and placed before us.

3. List the case on 25.09.2024 for compliance.”

Sd/-

Assistant Registrar(CS-II)

// True Copy //

/09/2024

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

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Copy to:

- 1.The Registrar Judicial,
Madurai Bench of Madras High Court, Madurai.
2. The Section Officer,
B Section,
Madurai Bench of Madras High Court, Madurai.
3. The Section Officer,
Criminal Section,
Madurai Bench of Madras High Court. Madurai.



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ORDER DATED : 03/09/2024

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ORDER

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SI -(13.09.2024) 4P/ 4C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.