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H.C.P.(MD)NO.1345 OF 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.12.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MS.JUSTICE R. POORNIMA

H.C.P.(MD)No.1345 of 2024

Panjavarnam

... Petitioner / Mother of the detenu

Vs.

1. State of Tamil Nadu Rep. By,
The Principal Secretary to Government,
Home, Prohibition and Excise Department,
Chennai – 9.
2. The District Collector and District Magistrate,
Madurai District,
Madurai.
3. The Superintendent,
Central Prison,
Madurai.
4. The Inspector of Police,
Vikkaramangalam police station,
Madurai District.

... Respondents

Prayer: Habeas Corpus petition is filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, to call for the entire records pertaining to the order of detention passed by the second respondent vide his proceedings in BCDFGISSSV No.11/2024 dated 12.06.2024 and quash the same and consequently set the detenu



SIDDDHIK S/o Rajapandi, male aged 21yrs who is presently confined at Central Prison, Madurai at liberty.

For Petitioner : Mr.M.Pitchai Muthu
For Respondents : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor.

* * *

ORDER

(Order of the Court was delivered by G.R.SWAMINATHAN, J.)

Heard both sides.

2. The petitioner's son was detained as Goonda by the second respondent vide order dated 12.06.2024. The detenu was arrested on 01.04.2024. There is a gap of 72 days between the date of arrest and the date of detention order. The case of the petitioner is that on account of the delay in passing the detention order, the live and proximate link between the grounds and the purpose of detention stood snapped.

3. The petitioner's counsel relies on the decision of the Hon'ble Supreme Court reported in **(2022 Livelaw (SC) 813) (Sushanta Kumar Banik Vs. State of Tripura)**. The Hon'ble Supreme Court in the said decision held as follows:-



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To:

1. The Principal Secretary to Government,
Home, Prohibition and Excise Department,
Chennai – 9.
2. The District Collector and District Magistrate,
Madurai District,
Madurai.
3. The Superintendent,
Central Prison,
Madurai.
4. The Inspector of Police,
Vikkaramangalam police station,
Madurai District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



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AND

R. POORNIMA, J.

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