



WEB COPY



HCP.No.48 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.01.2025

CORAM :

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR. JUSTICE M.JOTHIRAMAN

H.C.P.No.48 of 2025

Angayi Kanakarathinam

... Petitioner/Mother of the detenu

Vs.

1.The Secretary to the Government,
Home, Prohibition and Excise Department,
Fort, St.George,
Chennai – 9.

2.The District Magistrate and Collector,
Namakkal District.

3.The Superintendent of Police,
Salem District.

4.The Superintendent of Police,
Central Prison,
Salem.

5.The Inspector of Police,
All Women Police Station,
Rasipuram,
Namakkal District.

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, or any other appropriate writ order or direction in the nature of writ, to call for the entire records related to detention order in proceedings of the 2nd respondent made in CMP.No.77/SEXUAL OFFENDER/2024 dated 27.11.2024 against the son of the petitioner, Thiru.Ranganathan alias Rangarajan, Male, aged about 31 years, presently remanded in Central Prison at Salem and he has been detained under the Tamil Nadu Act 14 of 1982 as a “Goonda” and quash the same and consequently direct the respondents herein to produce the body and person of the said detenu before this Hon'ble Court and thereafter set him at liberty .

For Petitioner : Mr.M.Karthik

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 CMP.No.77/SEXUAL OFFENDER/2024 dated 27.11.2024 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. The criminal case registered against the detenue may be dealt with by the Police authorities under the ordinary law. The Preventive Detention Order has been passed based on the solitary ground case and therefore, the continuance of Preventive Detention Law may not be required in the opinion of this Court.

4. Accordingly, the impugned order of detention passed by the second respondent in CMP.No.77/SEXUAL OFFENDER/2024 dated 27.11.2024 is quashed and the Habeas Corpus Petition stands **allowed**. The detenue, namely, Ranganathan alias Rangarajan, S/o.Kanagarathinam, aged about 31 years, now confined in Central Prison, Salem, is directed to be set at liberty forthwith unless he is otherwise required in connection with any other case.

[S.M.S., J.] [M.J.R., J.]
23.01.2025

Index : Yes/No
Speaking Order : Yes/No
Neutral Citation : Yes/No
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To
1. The Secretary to the Government,
Home, Prohibition and Excise Department,
Fort, St. George,
Chennai – 9.



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2. The District Magistrate and Collector,
Namakkal District.

3. The Superintendent of Police,
Salem District.

4. The Superintendent of Police,
Central Prison,
Salem.

5. The Inspector of Police,
All Women Police Station,
Rasipuram,
Namakkal District.

6. The Joint Secretary to Government,
Public (Law & Order),
Fort St. George,
Chennai.

7. The Additional Public Prosecutor,
Madras High Court.



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S.M.SUBRAMANIAM, J.
AND
M.JOTHIRAMAN, J.

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