



WEB COPY



HCP.No.86 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.01.2025

CORAM :

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

H.C.P.No.86 of 2025

Jayanthi

... Petitioner/Mother of the
Detenu

Vs.

1. State represented by
The Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat,
Fort St.George,
Chennai - 9.
2. The District Collector and
District Magistrate,
Krishnagiri District,
Krishnagiri.
3. The Superintendent of Police,
Krishnagiri District,
Krishnagiri.
4. The Superintendent of Prison,
Central Prison, Salem.



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5. The Inspector of Police,
Hosur Town Police Station,
Krishnagiri District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, to call for the records in S.C.No.46/2024 dated 17.12.2024 on the file of the District Collector and District Magistrate, Krishnagiri District, Krishnagiri, the second respondent herein and quash the same as illegal and direct the respondent to produce the detainee Thiru.Anandkumar, S/o. Kodhandaraman, aged about 39 years, now confined at Central Prison, Salem, before this Court and set him at liberty.

For Petitioner : Ms.S.Sengkodi
For Respondents : Mr. R.Muniyapparaj
Additional Public Prosecutor

ORDER

(Order of the Court was made by the Hon'ble *S.M.SUBRAMANIAM, J.*)

The preventive detention order passed by the second respondent in proceedings No.S.C.No.46/2024 dated 17.12.2024 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.

3. The facts in the ground case reveals that the personal dispute existed between the complainant and the accused. Such nature of cases are to be dealt with by the Police Authorities under the ordinary law. There is no



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adverse case relied on in the impugned detention order. Therefore, the detention is unnecessary and the cases registered can be dealt with by the police Authorities under the law of the land.

4. Hence, for the aforesaid reasons, the detention order passed by the 2nd respondent, in proceedings S.C.No.46/2024 dated 17.12.2024 is hereby set aside and the Habeas Corpus Petition is **allowed**. The detenu viz., Anandkumar, aged 39 years, S/o. Kodhandaraman confined at Central Prison, Salem 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.]
30.01.2025

Index : Yes/No
Speaking Order : Yes/No
Neutral Citation : Yes/No
veda



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To

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1. State represented by
The Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat,
Fort St.George,
Chennai - 9.
2. The Joint Secretary to Government,
Public (Law and Order) Department,
Fort St.George, Chennai - 9.
3. The District Collector and
District Magistrate,
Krishnagiri District,
Krishnagiri.
4. The Superintendent of Police,
Krishnagiri District,
Krishnagiri.
5. The Superintendent of Prison,
Central Prison, Salem.
6. The Inspector of Police,
Hosur Town Police Station,
Krishnagiri District.
7. The Public Prosecutor,
Madras High Court,
Chennai - 104.



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AND
M.JOTHIRAMAN, J.

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