



HCP.No.57 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.57 of 2025

Subbulakshmi

... Petitioner/Wife of the
Detenu

Vs.

1. The Secretary to the Government,
Home, Prohibition and Excise Department,
Secretariat, Chennai - 600 009.
2. The Commissioner of Police,
Tiruppur City.
3. The Superintendent of Prison,
Central Prison, Coimbatore - 18.08.1965
4. The Inspector of Police,
Veerapandi Police Station,
Tiruppur City.

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, to call for the records in connection with the order of detention passed by the second respondent dated 23.12.2024 in C.No.101/G/IS/Tiruppur City/2024 against petitioner's husband Karuppusamy, Male, aged 40 years, S/o. Natarajan, who is confined at Central Prison, Coimbatore and set aside the same and direct the respondent to produce the detenu before this Court and set him at liberty.

For Petitioner : Mr.S.Selvakumar
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 C.No.101/G/IS/Tiruppur City/2024 dated 23.12.2024 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. Two adverse cases are relied on along with the ground case for



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issuing the impugned order of detention.

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4. The facts in the ground case reveals that personal dispute existed between the complainant and the accused. Such nature of cases can be dealt with by the Police Authorities under the ordinary law.

5. The first adverse case was registered in the year 2023 and has no proximity. Considering the nature of adverse and the ground case, this Court is of the considered opinion that the Police Authorities have to proceed with the criminal case under the ordinary law by following the procedures as contemplated and the preventive detention in the present case is unnecessary.

6. Accordingly, the detention order passed by the 2nd respondent, in proceedings C.No.101/G/IS/Tiruppur City/2024 dated 23.12.2024 is hereby set aside and the Habeas Corpus Petition is **allowed**. The detenu viz., Karuppusamy, aged 40 years, S/o. Natarajan confined at Central Prison, Coimbatore 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.]

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Index : Yes/No
Speaking Order : Yes/No



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Neutral Citation : Yes/No
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To

1. The Secretary to the Government,
Home, Prohibition and Excise Department,
Secretariat, Chennai - 600 009.
2. The Joint Secretary to Government,
Public (Law and Order) Department,
Fort St.George, Chennai - 9.
3. The Commissioner of Police,
Tiruppur City.
4. The Superintendent of Prison,
Central Prison, Coimbatore - 18.08.1965
5. The Inspector of Police,
Veerapandi Police Station,
Tiruppur City.
6. The Public Prosecutor,
Madras High Court,
Chennai - 104.



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AND
M.JOTHIRAMAN, J.

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