



WEB COPY



HCP.No.87 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.87 of 2025

Sudalai Vadivu

... Petitioner/Mother of the
Detenu

Vs.

1. The Secretary to the Government,
Home, Prohibition and Excise Department,
Secretariat,
Chennai - 600 009.
2. Commissioner of Police/Detaining Authority,
Tiruppur,
Tiruppur City.
3. The Superintendent,
Central Prison,
Coimbatore.
4. State represented by
The Inspector of Police,
Tiruppur Central Police Station,
Tiruppur District.

... Respondents



HCP.No.87 of 2025

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 2nd respondent dated 06.12.2024 in C.No.95/G/IS/Tiruppur City/2024 against the petitioner's son Chinnadurai, M/33 years, Son of Sathiravathi, who is confined at Central Prison, Coimbatore and set aside the same and consequently direct the respondents to produce the detenu before this Court and set him at liberty.

For Petitioner : Mr.A.Saranraj
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.95/G/IS/Tiruppur City/2024 dated 06.12.2024 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 family 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. One adverse case relied on, registered in the year 2023 has no proximity.



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Therefore, the detention is unnecessary and the cases registered can be dealt with by the police Authorities under the law of the land.

4. Accordingly, the detention order passed by the 2nd respondent, in C.No.95/G/IS/Tiruppur City/2024 dated 06.12.2024 is hereby set aside and the Habeas Corpus Petition is **allowed**. The detenu viz., Chinnadurai, aged 33 years, S/o. Sathiravathi 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.]
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. 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. Commissioner of Police/Detaining Authority,
Tiruppur,
Tiruppur City.
4. The Superintendent,
Central Prison,
Coimbatore.
5. State represented by
The Inspector of Police,
Tiruppur Central Police Station,
Tiruppur District.
6. The Public Prosecutor,
Madras High Court,
Chennai - 104.



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AND
M.JOTHIRAMAN, J.

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