



WEB COPY



HCP.No.2935 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.01.2025

CORAM :

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR. JUSTICE M.JOTHIRAMAN

H.C.P.No.2935 of 2024

Mrs.Vijaya

... Petitioner/Mother of the detenu

Vs.

1.The Secretary to Government
Home, Prohibition Excise Department,
Fort St.George,
Chennai – 600 009.

2.The Commissioner of Police,
Greater Chennai.

3.The Superintendent of Police,
Central Prison, Puzhal, Chennai.

4.The Inspector of Police,
H-8, Thiruvottiyur Police Station,
Chennai.

... Respondents

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



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nature of writ, call for the records in connection with the order or detention passed by the second respondent dated 18.10.2024 in No.1055/BCDFGISSSV/2024 against the petitioner Son Thiru.Anand @ Bai, Male aged about 32 years, Son of Balan, who is confined at Central Prison, Puzhal, Chennai and set aside the same and direct the respondents to produce the detenu before Hon'ble Court and set him at liberty.

For Petitioner : Mr.M.Illiyas

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 No.1055/BCDFGISSSV/2024 dated 18.10.2024 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 impugned detention order has been passed based on two adverse



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cases registered in Crime No.252 of 2022 and Crime No.127 of 2024. Thus, the adverse case has no proximity with the ground case. The ground case was registered in Crime No.1024 of 2024 under Section 309 (6), 311 of BNS. The said case can be dealt with by the Police authorities under the law of the land. Certain other cases, wherein the detenu involved are not proximate with the ground case and thus, we are inclined to consider the present Habeas Corpus Petition.

4. Accordingly, the impugned order of detention passed by the second respondent in No.1055/BCDFGISSSV/2024 dated 18.10.2024 is quashed and the Habeas Corpus Petition stands **allowed**. The detenue, namely, Anand @ Bai, S/o.Balan, male, aged about 32 years, now confined in Central Prison, Puzhal, Chennai, 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.]
02.01.2025
(2/2)

Index : Yes/No
Speaking Order : Yes/No
Neutral Citation : Yes/No
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- 5.The Additional Public Prosecutor,
Madras High Court.



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AND
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