



WEB COPY



HCP.No.3248 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.01.2025

CORAM :

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR. JUSTICE M.JOTHIRAMAN

H.C.P.No.3248 of 2024

K.V.Santosh

... Petitioner/Son of detenu

Vs.

- 1.The Chief Secretary to Government
of Tamil Nadu,
Home, Prohibition and Excise Department,
Secretariat, Chennai – 600 009.
- 2.The Commissioner of Police,
Greater Chennai,
O/o.The Commissioner of Police,
(Goondas Section)
Vepery, Chennai – 600 007.
- 3.The Superintendent of Prison,
Special Prison for Women-Puzhal,
Chennai – 600 006.
- 4.The Inspector of Police,
Alpha-7, Job Racket Investigation Wing,
Central Crime Branch,



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Greater Chennai Police, Vepery.

... Respondents

WEB 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, call for the records in connection with the order of detention passed by the second respondent dated 01.07.2024 in Memo No.744/BCDFGISSSV/2024 against the petitioner's mother G.Lakshmi, aged about 48 years, who is confined in the Special Prison for Women, Puzhal, Chennai in pursuance of the detention order and set aside the same and direct the respondents to produce the detenue before this Hon'ble Court and set her liberty and pass such further or other orders as this Honb'le Court may deem fit and proper in the above stated circumstances.

For Petitioner : Mr.B.Mohan

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 Memo No.744/BCDFGISSSV/2024 dated 01.07.2024 is sought to be quashed in the present Habeas Corpus Petition.



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2. Heard the learned counsel for the petitioner, as well as the learned Additional Public Prosecutor appearing for the respondents.

3. The facts of the ground case reveals that a Criminal Case was registered for the alleged Job Racketing. Accused No.1 is the husband of the detenue. He was already murdered by few victims. The detenue is the wife of the Accused No.1 and allegedly assisted A1 for commission of offence. The detenue is already under Preventive Detention for about seven months.

4. Considering the longevity of actual imprisonment under Preventive Detention Law and the case against the detenue can be dealt with by the Police authorities under the ordinary law by following the procedures, this Court is inclined to consider the present Habeas Corpus Petition.

5. Accordingly, the impugned order of detention passed by the second respondent in Memo No.744/BCDFGISSSV/2024 dated 01.07.2024 is quashed and the Habeas Corpus Petition stands **allowed**. The detenue, namely, Tmt.Lakshmi, W/o.Venkatesan, female, aged about 48 years, now confined in



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Special Prison for Women, 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.]
24.01.2025

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

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Greater Chennai Police, Vepery.

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

6. The Additional Public Prosecutor,
Madras High Court.



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

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