



H.C.P.No.3069 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 21.01.2025

CORAM :

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM
AND
THE HON'BLE MR.JUSTICE M.JOTHIRAMAN

H.C.P.No.3069 of 2024

S.Rani

.. Petitioner

v.

1. State of Tamil Nadu

rep.by the Additional Chief Secretary to Government
Home, Prohibition and Excise Department
Fort St.George
Chennai 600 009

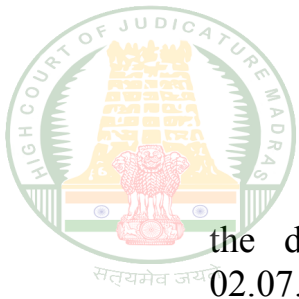
2. The Commissioner of Police
Greater Chennai, Chennai

3. The Superintendent
Central Prison, Puzhal
Chennai 600 066

4. The Inspector of Police
All Women Police Station
Tharamani, Chennai District

.. Respondents

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Habeas Corpus, calling for the records relating to



H.C.P.No.3069 of 2024

the detention order in Memo No.BCDFGISSSV No.749/2024 dated 02.07.2024 passed by the 2nd respondent under the Tamil Nadu Act 14 of 1982 and set aside the same and direct the respondents to produce the petitioner's son the detenu Murali aged about 38 years, now confined in Central Prison, Puzhal, Chennai before this Hon'ble Court and set him at liberty.

For Petitioner :: Mr.S.Amarnath

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 proceedings BCDFGISSSV No.749/2024 dated 02.07.2024 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 detenu has been arrested on 31.05.2024. The detention order was issued on 02.07.2024 after prolonged delay. Two adverse cases are relied on registered under the Narcotic Drugs and Psychotropic Substances



H.C.P.No.3069 of 2024

Act. Pertinently, both the adverse cases registered in the year 2018 have no proximity with the ground case. The ground case can be dealt with by the police authorities under the ordinary law. The detenu is in actual imprisonment under the preventive detention law for more than seven months. Considering the facts and circumstances, we are inclined to interfere with the impugned detention order.

4. Accordingly, the detention order passed by the second respondent in proceedings BCDFGISSSV No.749/2024 dated 02.07.2024 is hereby set aside and the habeas corpus petition is allowed. The detenu viz., Murali, S/o Subramani, aged 38 years, now confined at Central Prison, Puzhal, Chennai is directed to be set at liberty forthwith, unless his confinement is required in connection with any other case.

Index : yes

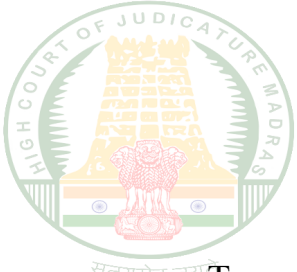
Neutral citation : yes/no

(S.M.S.,J.)

(M.J.R.,J.)

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H.C.P.No.3069 of 2024

To
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5. The Public Prosecutor
High Court, Madras



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AND

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H.C.P.No.3069 of 2024

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