



H.C.P.No.3072 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.3072 of 2024

Kathija

W/o Mohideen

..

Petitioner

v.

1. State of Tamil Nadu
rep.by its Secretary to Government
Home, Prohibition and Excise Department
Secretariat, Chennai 600 009

2. The Commissioner of Police
Greater Chennai, Chennai

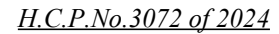
3. The Inspector of Police
R-9, Valasaravakkam Police Station
Chennai

4. The Superintendent
Central Prison, Puzhal
Chennai

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Respondents

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





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recovered from the detenu. The recovery made cannot be construed as commercial quantity. More so the adverse case has no proximity with the ground case. The criminal case registered shall be dealt with by the police authorities under the ordinary law. We do not find any reason to allow the preventive detention to go on. Thus we are inclined to interfere with the impugned detention order.

4. Accordingly, the detention order passed by the second respondent in proceedings No.1112/BCDFGISSSV/2024 dated 07.11.2024 is hereby set aside and the habeas corpus petition is allowed. The detenu viz., Yasar Arafat, S/o Moideen, aged 32 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

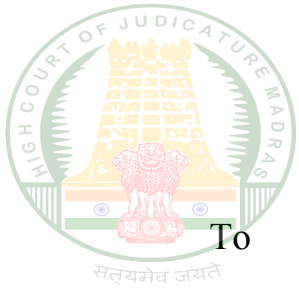
Neutral citation : yes/no

(S.M.S.,J.)

(M.J.R.,J.)

21.01.2025

SS



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To

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1. The Secretary to Government
Home, Prohibition and Excise Department
Secretariat, Chennai 600 009
2. The Commissioner of Police
Greater Chennai, Chennai
3. The Inspector of Police
R-9, Valasaravakkam Police Station
Chennai
4. The Superintendent
Central Prison, Puzhal
Chennai
5. The Public Prosecutor
High Court, Madras



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S.M.SUBRAMANIAM,J.

AND

M.JOTHIRAMAN,J.

SS

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