



WEB COPY



H.C.P.No.70 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.01.2025

CORAM :

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

H.C.P.No.70 of 2025

Chokkalingam @ David
S/o Arumugam

.. Petitioner

v.

1. The Secretary to the Government
Home, Prohibition & Excise Department
Secretariat, Chennai 600 009
2. District Magistrate and District Collector
Tiruppur District, Tiruppur
3. The Superintendent of Police
Tiruppur, Tiruppur District
4. The Superintendent
Central Prison, Coimbatore
5. State rep by:
The Inspector of Police
Avinashi Police Station
Tiruppur District

.. Respondents



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Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Habeas Corpus, to call for the records in connection with the order of detention passed by the 2nd respondent dated 25.06.2024 in Cr.M.P.No.48/GOONDA/2024 against the petitioner detenu Chokkalingam @ David, M/26 years, S/o Arumugam, who is confined at Central Prison, Coimbatore and set aside the same and consequently direct the respondents to produce the detenu before the Hon'ble 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 S.M.SUBRAMANIAM,J.)

The petitioner detenu, viz., Chokkalingam alias David, S/o Arumugam, aged 26 years, now confined at Central Prison, Coimbatore has come forward with this petition challenging the detention order passed by the second respondent in proceedings Cr.M.P.No.48/Goonda/2024 dated 22.05.2024.

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 was passed in proceedings dated



H.C.P.No.70 of 2025

22.05.2024. The detenu is in actual imprisonment for about eight months.

The ground case registered shall be dealt with by the police authorities under the ordinary law. Considering the fact that the detenu suffered preventive detention for about eight months, this Court is of the considered opinion that no further detention may be required, as the case registered against him may be dealt with under the law of the land.

4. Accordingly, the detention order passed by the second respondent in proceedings Cr.M.P.No.48/Goonda/2024 dated 22.05.2024 is hereby set aside and the habeas corpus petition is allowed. The detenu viz., Chokkalingam alias David, S/o Arumugam, aged 26 years, now confined at Central Prison, Coimbatore is directed to be set at liberty forthwith, unless his confinement is required in connection with any other case.

Index : yes/no
Neutral citation : yes/no

(S.M.S.,J.) (M.J.R.,J.)
22.01.2025

ss

To

Page 3 of 5



H.C.P.No.70 of 2025

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6. The Public Prosecutor
High Court, Madras



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AND

M.JOTHIRAMAN,J.

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