



WEB COPY



HCP.No.3311 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.01.2025

CORAM :

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR. JUSTICE M.JOTHIRAMAN

H.C.P.No.3311 of 2024

Esakkiammal

... Petitioner/Mother of the
Detenu

Vs.

1. The Secretary to the Government,
Home, Prohibition and Excise Department,
Secretariat, Chennai - 600 009.
2. The Commissioner of Police,
Greater Chennai.
3. The Superintendent of Prison,
Central Prison, Puzhal, Chennai.
4. The Inspector of Police,
J-7, Velachery Police Station,
Tambaram City.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, to call for the records in connection with the order of detention passed by the second respondent dated 03.05.2024, 450/BCDFGISSSV/2024 against the petitioner's son Esakkipandi, male,



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aged 24 years, S/o. Sethupandiyar, who is confined at Central Prison, Puzhal, Chennai and set aside the same and direct the respondents to produce the detenu before this Court and set him at liberty.

For Petitioner : Mr.S.Selvakumar

For Respondents : Mr.R.Muniyapparaj
Additional Public Prosecutor

ORDER

(Order of the Court was made by *S.M.SUBRAMANIAM, J.*)

The writ of habeas corpus has been filed challenging the detention order passed by the second respondent in proceedings BCDFGISSSV No.450/2024 dated 03.05.2024.

2. Heard the learned Counsel for the petitioner and the learned Additional Public Prosecutor appearing on behalf of the respondents.

3. Based on the solitary ground case, the preventive detention law has been invoked. The detenu is in actual imprisonment under preventive detention law for about eight and a half months. Thus, extension of



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preventive detention law in the case of the detenu become unnecessary.

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4. Accordingly, the detention order passed by the second respondent in proceedings BCDFGISSSV No.450/2024 dated 03.05.2024 is quashed and the Habeas Corpus Petition is **allowed**. The detenu, viz., Esakkipandi, S/o. Sethupandiyan, aged 24 years, confined at Central Prison, Puzhal, Chennai is directed to be set at liberty forthwith, unless he is required in connection with any other case.

[S.M.S., J.] [M.J.R., J.]
20.01.2025

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

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1. The Secretary to the Government,
Home, Prohibition and Excise Department,
Secretariat, Chennai - 600 009.
2. The Joint Secretary to Government,
Public (Law and Order) Department,
Fort St.George, Chennai - 9.
3. The Commissioner of Police,
Greater Chennai.
4. The Superintendent of Prison,
Central Prison, Puzhal, Chennai.
5. The Inspector of Police,
J-7, Velachery Police Station,
Tambaram City.
6. The Public Prosecutor,
Madras High Court,
Chennai - 104.



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

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