



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Special Original Jurisdiction

Wednesday, the Twenty Ninth day of January Two Thousand and Twenty Five

PRESENT

The HONOURABLE MR. JUSTICE G.R.SWAMINATHAN

AND

The HONOURABLE MS. JUSTICE R.POORNIMA

CRL MP(MD). No.1132 of 2025

IN

HCP(MD) No.1314 of 2024

Murugan

... Petitioner/Detenu

-Vs-

1 The Additional Chief Secretary to Government,
State of Tamil Nadu,
Home Prohibition and Excise Department,
Fort St.George, Secretariat, Chennai – 600 009.

2 The District Collector and District Magistrate,
Office of the District Collector and District Magistrate,
Ramanathapuram District.

3 The Superintendent of Prison,
Madurai Central Prison,
Madurai District.

... Respondents

Prayer IN CRL MP(MD). No.1132 of 2025:- Criminal Miscellaneous Petition filed under Article 226 of the Constitution of India, to pleased to direct the respondent to temporarily release the detenu by name Murugan son of Muthuramalinam aged 27, now detained as “Goonda” at Madurai Central Prison under preventive detention by the order passed by the Respondent No.2 vide his order in S.R.No.16/Goonda/2024 dated 19.08.2024 under section 3(1) of Act 14 of 1982, for 1 day to attend the anniversary funeral rites of his beloved mother by name Mariyammal wife of Muthuramalingam on 01.02.2025 at Rameswaram.



Prayer in Habeas Corpus Petition(MD) No. . 1314/ 2024 : Petition filed under Article 226 of the Constitution of India, praying that in the circumstances stated therein and in the affidavit filed therewith, the High Court will be pleased to detention order of the Respondent 2 in S.R.No. 16/goonda/2024 dt. 19.08.2024 and quash the same and direct the respondents to produce the body or person of the detenu by name Murugan S/o. Muthuramalingam aged about 27 years, now detained as Goonda.

ORDER:- This Criminal Miscellaneous Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Dr.R.ALAGUMANI, Advocate for the Petitioner and of Mr.T.SENTHIL KUMAR, Additional Public Prosecutor, for the Respondents, this Court made the following order:

(Order of the Court was made **by the Hon'ble G.R.SWAMINATHAN, J.**)

Heard both sides.

2.Murugan / petitioner was detained as “Goonda” vide order dated 19.08.2024 by the second respondent. Habeas corpus petition is still pending. The mother of the detenu had passed away on 12.02.2024. This miscellaneous petition has been filed to enable the detenu to attend the first death anniversary. Section 15(1) of Tamil Nadu Act No.14 of 1982 does not envisages such situation. However, taking note of the facts projected in the affidavit filed in support of this petition, we direct the third respondent to take the detenu with necessary escort to Ramanthapuram at 06.00 am on 01.02.2025 from Central Prison, Madurai and bring him back to prison at 08.00



pm on 01.02.2025. The Superintendent of Police, Ramanathapuram District is directed to provide necessary escort to the convict from the Central Prison from the time he leaves the prison and till such time, he returns to the prison. It is clarified that the cost involved in providing escort shall be borne by the petitioner.

3.This criminal miscellaneous petition is allowed accordingly.

Sd/-

Assistant Registrar(T & P)

// True Copy //

29/01/2025

Sub Assistant Registrar

TO

- 1 The Additional Chief Secretary to Government,
State of Tamil Nadu,
Home Prohibition and Excise Department,
Fort St.George, Secretariat,
Chennai - 600 009.
- 2 The District Collector and District Magistrate,
Office of the District Collector and District Magistrate,
Ramanathapuram District.
- 3 The Superintendent of Prison,
Madurai Central Prison,
Madurai District.



4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai

Copy to:

1. The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.

2. The Section Officer,
Criminal Section,
Madurai Bench of Madras High Court, Madurai

ORDER DATED : 29.01.2025

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O R D E R

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CRL MP(MD). No.1132 of 2025
IN
HCP(MD) No.1314 OF 2024
Giving direction and etc.
as stated within.

MK/29.01.2025 4P/7C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023