



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.01.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MS.JUSTICE R. POORNIMA

H.C.P.(MD)No.952 of 2024

Rani

... Petitioner/ Wife of Detenu

Vs.

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

2. The District Collector and District Magistrate,
District Collector's Office, Pudukkottai District,
Pudukkottai.

3. The Superintendent,
Central Prison,
Tiruchirappalli.

... Respondents

Prayer: Habeas Corpus petition is filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, calling for the records pertaining to the Detention Order passed by the 2nd Respondent in Detention Order made in P.D.O No.02/2024 dated 09.06.2024 u/s.2(ggg) of Tamilnadu Act 14 of 1982 as a Sexual Offender and quash the same and direct the respondents to produce the detenu namely Chinnasamy, S/o.Karuppaiya, male aged about 38 years detained at Central Prison, Tiruchirappalli before this Court and set him at liberty forthwith.



For Petitioner : Mr.A.Arun Prasad
For Respondents : Mr.T.Senthil Kumar,
Additional Public Prosecutor.

* * *

ORDER

(Order of the Court was delivered by G.R.SWAMINATHAN, J.)

Heard both sides.

2. The petitioner's husband was detained as “Sexual Offender” vide order dated 09.06.2024 by the second respondent. The representation dated 16.07.2024 was submitted seeking its revocation.

3. The Under Secretary dealt with the file on 24.07.2024. However, the Deputy Secretary dealt with the file on 31.07.2024. We notice that there is an unexplained delay of four days in considering the representation.

4. In this view of the matter, we hold that the detenue's continued detention is illegal. He shall be set at liberty forthwith unless his detention is otherwise warranted by law. The petitioner is directed to extend his co-operation for speedily concluding the trial. The Court below is also directed to expedite the trial.



5.This Habeas Corpus Petition is allowed accordingly.

WEB COPY

(G.R.SWAMINATHAN, J.) & (R. POORNIMA, J.)
23rd January 2025

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

PMU

Note : Issue order copy on 24.01.2025.

To:

1. The Additional Chief Secretary to Government,
Home, Prohibition and Excise Department,
Fort St. George, Chennai – 600 009.
2. The District Collector and District Magistrate,
District Collector's Office, Pudukkottai District,
Pudukkottai.
3. The Superintendent,
Central Prison,
Tiruchirappalli.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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4

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