



H.C.P.(MD)No.968 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.01.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MS.JUSTICE R.POORNIMA

H.C.P.(MD)No.968 of 2024

Venkatesan

... Petitioner / Detenue

Vs.

- 1.State of Tamil Nadu, rep. by
The Principal Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat,
Chennai-600 009.
- 2.The District Collector and District Magistrate,
O/o.The District Collector and District Magistrate,
Perambalur District,
Perambalur.
- 3.The Superintendent,
Central Prison,
Tiruchirappalli.

... Respondents

PRAAYER : Petition filed under Article 226 of the Constitution of India
praying for the issue of a Writ of Habeas Corpus, to call for the entire



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records in detention order passed in Cr.M.P.No.17 of 2024 dated 16.07.2024 on the file of the second respondent herein and set aside the same as illegal and direct the respondents to produce the petitioner namely Venkatesan S/o.Natarajan, male, aged 36 years, who is detained in Central Prison, Tiruchirappalli before this Court and set him at liberty.

For Petitioner : Mr.K.A.S.Prabhu

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 was detained as “Goonda” vide order dated 16.07.2024. The representation dated 29.07.2024 was submitted seeking revocation of the detention order.

3. The file was submitted on 09.08.2024. The Under Secretary dealt with the file on 20.08.2024. We notice that there is an unexplained delay of 5 days in considering the representation.



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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.

5.This Habeas Corpus Petition is allowed accordingly.

(G.R.S. J.) & (R.P. J.)
28.01.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
rmi

Note:Issue Order Copy on 29.01.2025.

To:-

- 1.The Principal Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat,
Chennai-600 009.
- 2.The District Collector and District Magistrate,
O/o.The District Collector and District Magistrate,
Perambalur District,
Perambalur.
- 3.The Superintendent,
Central Prison,
Tiruchirappalli.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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and
R.POORNIMA, J.

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