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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-07-2026

CORAM

THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

HCP No. 86 of 2026

Angles
S/o.Sivakumar
No.2/183, New Colony,
Poyakkunam Post,
Sankarapuram,
Villupuram-606401. ..Petitioner(s)

Vs

1. State of Tamilnadu, Rep.by, The Additional Chief Secretary to Government,
   Home, Prohibition and Excise Department,
   Fort St.George, Chennai-600 009.

2. District collector and District Magistrate of Kallakurichi District,
   Office of The District Collector and District Magistrate,
   Kallakurichi district.

3. The Superintendent of Police,
   Kallakurichi,
   Kallakurichi district.

4. The Superintendent of Prison,
   Central Prison,
   Cuddalore.

5. The Inspector of Police,
   All-Women Police Station,
   Tirukoilur,

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Kallakurichi District.

..Respondent(s)

Prayer: Habeas Corpus Petition filed under Article 226 of Constitution of India to issue a Writ of Habeas Corpus or any other Writ of direction calling for the records relating to the detention order in D.O.No.C2/30/2025, dated 08.10.2025 passed by the 2nd respondent under the Tamilnadu Act 14 of 1982 and set aside the same and direct the respondents to produce the petitioner's father PARAMASIVAM ALIAS SIVAKUMAR S/O.GANAPATHI, the detenue, now confined in Central Prison, Cuddalore, before this Hon'ble court and set him at liberty.

For Petitioner(s): Mr.P.Praveen Kumar

For Respondent(s): Mr.A.Amarnath

Counsel For Government Of Tamil Nadu
(Criminal Side)

ORDER

(Order of the Court was made by Dr.Anita Sumanth J.)

The father of detenu - Paramasivam @ Sivakumar, S/o.Ganapathi, aged 52 years, has filed this petition challenging the detention order dated 08.10.2025, branding him as a 'Sexual Offender' under Section 2(ggg) of the Tamil Nadu Preventive Detention Act, 1982 (Act 14 of 1982).

2. We have heard learned counsel for petitioner and learned counsel for Government of Tamil Nadu (Criminal Side) for respondents.

3. In this case, the detention order was passed on 08.10.2025, but served on the detenu only on 16.10.2025. We find that the booklet containing the

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documents relied-upon by the detaining authority was admittedly furnished to the detenu only on 16.10.2025, which is beyond the statutory limit of five days from the date of the detention order. Section 8 of Act 14 of 1982 mandates that the grounds of detention have to be furnished within five days from the date of detention and it is a well settled position that the grounds of detention includes all relevant documents relied upon by the detaining authority.

4. Therefore, and in view of the admitted statutory violation, the impugned detention order is liable to be set aside. In light of the aforesaid discussion, this Habeas Corpus Petition is allowed and the Detention Order passed by the second respondent in D.O.No.C2/30/2025 dated 08.10.2025 is set aside.

5. The detenu, viz., Paramasivam @ Sivakumar, S/o. Ganapathi, aged 52 years, who is now confined in Central Prison, Cuddalore, is hereby directed to be set at liberty forthwith unless his presence is required in connection with any other case.

(A.S.M.,J.) (S.M.,J.)

29-07-2026

vs

Index: Yes/No
Speaking order
Neutral Citation: Yes

Note to Registry: Issue Today.

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To

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

2. District collector and District Magistrate of Kallakurichi District,
   Office of The District Collector and District Magistrate,
   Kallakurichi district.

3. The Superintendent of Police,
   Kallakurichi,
   Kallakurichi district.

4. The Superintendent of Prison,
   Central Prison,
   Cuddalore.

5. The Inspector of Police,
   All-Women Police Station,
   Tirukoilur,
   Kallakurichi District.

6. The Joint Secretary,
   Law and Order Department, Secretariat, Chennai – 600 009.

7. The Public Prosecutor,

   High Court of Madras.

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