



HCP No.318 of 2026

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-07-2026

CORAM

THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

HCP No.318 of 2026

Ramita Pradhan
W/o.Bishnu Charan Pradhan,
Dasingabadi,
Tekabadi,
Kandhamal,
Daringbadi,
Odisha - 762 104.

...Petitioner/Wife of the
Detenu

Vs

1. The State rep. by
The Secretary
(Home) Prohibition and Excise Department,
Secretariat,
Fort St. George,
Chennai - 600 009.
2. The District Collector and District Magistrate,
Coimbatore - 641 018.
3. The Superintendent of Police,
Coimbatore City,
Coimbatore.



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4. The Superintendent of Central Prison,
Central Prison,
Coimbatore.
5. The Inspector of Police
Thodamuthur Police Station,
Coimbatore.

...Respondents

Prayer : Petition filed under Article 226 of Constitution of India praying for issuance of Writ of Habeas Corpus, calling for the records pertaining to the order of Detention passed by the 2nd respondent in his proceedings in Cr.M.P.No.55/D.O/2025 dated 30.11.2025 and quash the same as illegal and produce the detenu, namely Thiru. Bishnucharan Pradhan S/o. Abhiram Pradhan, aged 42, as a Drug Offender, now he is confined in Central Prison, Coimbatore before this Court and set him at liberty.

For Petitioner : Mr.S.Manoj Vasanth

For Respondents : Mr.C.R.Malarvannan
Counsel for Government of Tamil Nadu
(Criminal Side)

ORDER

(Order of the Court was made by Sunder Mohan J.)

The wife of the detenu – Bishnucharan Pradhan, S/o.Abhiram Pradhan, aged 42 years, has filed this petition challenging the detention order dated 30.11.2025, branding him as a ‘Drug Offender’ under Section 2(e) of the Tamil Nadu Preventive Detention Act, 1982 (Act 14/1982).

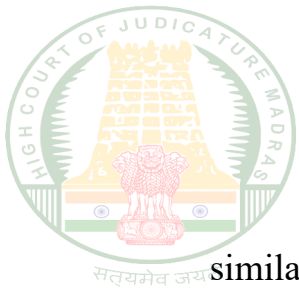


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2. We have heard learned counsel for petitioner and learned counsel for Government of Tamil Nadu (Crl.Side) for respondents.

3. The detention order is liable to be quashed for more than one reason. It is seen that the booklet containing relevant documents that has been relied upon by the detaining authority has not been translated in Odia. Admittedly, the detenu is acquainted only with Odia. In fact, the detention order and the grounds of detention were supplied to the detenu in Odia which confirms that the detenu is only acquainted with Odia. It is well settled that if the relied upon documents are not furnished in the language known to the detenu, his right to make effective representation would be denied. In '*Powanammal Vs. State of Tamil Nadu*' reported in '*(1999) 2 SCC 413*', the Hon'ble Supreme Court had held that non-supply of relevant documents in the language known to the detenu renders the detention illegal.

4. That apart, in the grounds of detention, the detaining authority has stated that the detenu had not filed any bail application; and that in a



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similar case, bail was granted by the Principal Special Court for Narcotic Drugs and Psychotropic Substances Act Cases, Madurai, in CrI.M.P.No.3460 of 2024 on 06.11.2024.

5.The detaining authority ought to have seen whether the facts in the bail order relied upon by him were comparable to the facts of the instant case. In the order relied upon by the detaining authority, no contraband was seized from the accused therein, however, in the present case, contraband weighing 5 kgs has been seized from the detenue. Hence, the reliance placed by the detaining authority on the said order, in CrI.M.P.No.3460 of 2024 vitiates his subjective satisfaction as regards the possibility of the detenu coming out on bail. For the aforesaid reasons, the detention order is liable to be quashed.

6. In light of the aforesaid discussion, this Habeas Corpus Petition is allowed and the Detention Order passed by the second respondent in Cr.M.P.No.55/D.O/2025 dated 30.11.2025, is set aside.



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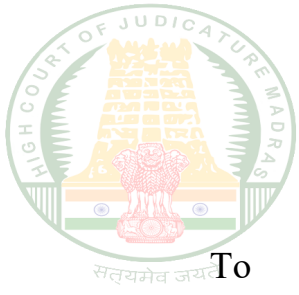
7. The detenu, viz., Bishnucharan Pradhan, S/o.Abhiram Pradhan, aged 42 years, who is now confined in Central Prison, Coimbatore, is hereby directed to be set at liberty forthwith unless his presence is required in connection with any other case.

(A.S.M.,J.) (S.M.,J.)
21-07-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

Note: Issue order copy today.

dk



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To

1. The Secretary
(Home) Prohibition and Excise Department,
Secretariat,
Fort St. George,
Chennai - 600 009.
2. The District Collector and District Magistrate
Coimbatore - 641 018.
3. The Superintendent of Police,
Coimbatore City,
Coimbatore.
4. The Superintendent of Central Prison,
Central Prison,
Coimbatore.
5. The Inspector of Police,
Thodamuthur Police Station,
Coimbatore.
6. The Joint Secretary,
Law and Order Department,
Secretariat, Chennai – 600 009
7. The Public Prosecutor,
High Court of Madras.



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SUNDER MOHAN, J.
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