



WEB COPY

HCP No. 380 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-08-2026

CORAM

THE HON'BLE MR JUSTICE N. SATHISH KUMAR

AND

THE HON'BLE MR.JUSTICE K.RAJASEKAR

HCP No. 380 of 2026

Sandeep
S/o Rajamani,

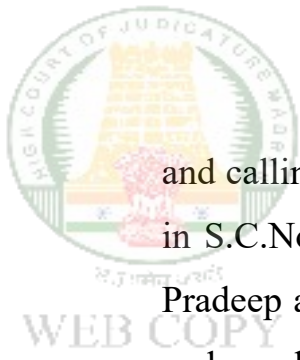
..Petitioner(s)

Vs

1. The State Rep. by
The Additional Chief Secretary to the 3
Government
Home Prohibition and Excise Department,
Secretariat,
Chennai - 600009.
2. The District Magistrate and District Collector
Office of The District Collector, Dharmapuri
District.
3. The Superintendent of Police
Office of The Superintendent of Police
Dharmapuri District.
4. The Superintendent of Prison
Central Prison,
Salem District.
5. The Inspector Of Police
Palacode Police Station,
Dharmapuri.

..Respondent(s)

Habeas Corpus Petition filed under Article 227 of Constitution of India to
issue a Writ order in more particularly in the nature of a Writ of Habeas Corpus



and calling for the records of the 2nd respondent in connection with order made in S.C.No.25/2025/C1 dated 07.12.2025 passed against the petitioner's brother Pradeep aged 26 years S/o Rajamani, who is confined at Central Prison, Salem and quash the same and direct the respondents to produce the detenu before this Court and set him at liberty.

For Petitioner(s): Mr. M.I.Javid Akbar

For Respondent(s): Mr.M.Mohamed Riyaz
Government Advocate (Crl.side)

ORDER

(Order of the Court was made by N.Sathish Kumar J.)

The petitioner, the brother of the detenu Pradeep, male, aged 26 years, S/o.Rajamani, has come forward with this petition challenging the detention order passed by the second respondent dated 07.12.2025 bearing reference S.C.No.25/2025/C1 slapped on his brother, branding him as "Goonda" under the Tamil Nadu Prevention of Dangerous Activities of Bootleggers, Drug Offenders, Forest Offenders, Goondas, Immoral Traffic Offenders, Sand Offenders, Slum Grabbers and Video Pirates Act, 1982 [Tamil Nadu Act 14 of 1982].

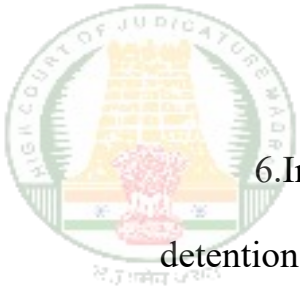


2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.side) appearing for the respondents.

3. Though several grounds have been raised by the petitioner in the habeas corpus petition assailing the detention order, in the hearing, learned counsel for the petitioner mainly focussed his argument on the ground that the language known to the detenu is Telugu, but the detention order and the other documents relied on by the authorities were furnished to the detenu in a language other than the language known to the detenu and the same has prevented him from making an effective representation against the detention order. Hence the impugned order is liable to be set aside.

4. Per contra, learned Additional Public Prosecutor submits that the order of detention has been passed on cogent and sufficient materials and the same cannot be interfered with at the instance of the petitioner.

5. A perusal of the booklet would disclose that the translated version of the detention order and the relied on documents were not furnished to the detenu in a language known to him, thereby the detenu has been put to prejudice and is deprived of making an effective representation for revocation of the detention order. The non-furnishing of translated version of document relied on by the detaining authority particularly when the detenu is not conversant with the language violates his constitutional rights and can vitiate the detention order. Hence, on this ground, the impugned order of detention is vitiated and is liable to be quashed.



6. In the result, the Habeas Corpus Petition is allowed and the order of detention passed in S.C.No.25/2025/C1 dated 07.12.2025 passed by the second respondent is set aside. The detenu viz., Pradeep, male, aged 26 years, S/o.Rajamani, is directed to be released forthwith unless his detention is required in connection with any other case.

(N.S.K.,J.) (K.R.S.,J.)
13-08-2026

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

gpa



To

1. Additional Chief Secretary to the Government
Home Prohibition and Excise Department,
Secretariat,
Chennai - 600009.
2. The District Magistrate and District Collector
Office of The District Collector, Dharmapuri District.
3. The Superintendent of Police
Office of The Superintendent of Police
Dharmapuri District.
4. The Superintendent of Prison
Central Prison,
Salem District.
5. The Inspector Of Police
Palacode Police Station,
Dharmapuri.
6. The Joint Secretary to Government
Public (Law & Order)
Fort Saint George, Chennai – 9
7. The Public Prosecutor
High Court, Madras.



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**N.SATHISH KUMAR, J.
AND
K.RAJASEKAR, J.**

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