



WEB COPY

HCP No. 499 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. 499 of 2026

Raman
S/o.Thachinamoorthy,
No.4/6, 2nd New Street,
Chrompet,
Chennai District.

..Petitioner(s)

Vs

1. The Secretary To The Government
Home Prohibition and Excise Department,
Secretariat, Chennai-600009.
2. Commissioner Of Police/ Detaining Authority
Tambaram City, Tambaram.
3. The Superintendent
Central Prison, Puzhal,
Chennai District.
4. State Rep By
The Inspector of Police,
Law and Order, Chrompet Police Station,
Chennai District.

..Respondent(s)

Prayer: Habeas Corpus Petition is filed under Article 226 of the Constitution of India to issue a WRIT OF HABEASCORPUS or any other Writ or Order in the nature of Writ call for the records in connection with the order of detention passed by the 2nd Respondent dated 16.12.2025 in No.175/



BBCDEFGISSSV/2025 against the petitioner's son R.BOOPALAN, M/24 years, Son of Raman, who is confined at Central Prison, Puzhal, Chennai and set aside the same and consequently direct the Respondents to produce the detainee before the Hon'ble Court and set him at liberty.

For Petitioner(s): Mr. A.Saranraj

For Respondent(s): Mr.M.Mohames Riyaz,
Government Advocate (Crl.Side)

ORDER

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

The order of detention passed by the second respondent dated 16.12.2025 in BBCDEFGISSSV No.175/2025 is sought to be quashed in the present Habeas Corpus Petition.

2. We have heard the learned counsel for the petitioner and learned Government Advocate appearing for respondents. We have also perused the records submitted by the detaining authority.

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 focus his argument on the ground that the language known



to the detenue is Tamil but the documents relied on by the authorities were furnished to the detenue other than the language known to the detenue 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 Government Advocate 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 'Seizure Mahar' and 'Property sent to Magistrate' relied on by the authorities 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, this Habeas Corpus Petition is allowed and the detention order passed by the second respondent in BBCDEFGISSSV No.175/2025, dated 16.12.2025 is hereby set aside. The detenu, viz., R.Boopalan, male, aged 24



years, S/o Raman is directed to be set at liberty forthwith unless he is required in connection with any other case.

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

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

MST

To

1. The Secretary To The Government
Home Prohibition and Excise Department,
Secretariat, Chennai-600009.
2. Commissioner Of Police/ Detaining Authority
Tambaram City, Tambaram.
3. The Superintendent
Central Prison, Puzhal,
Chennai District.
4. The Inspector of Police,
Law and Order,
Chrompet Police Station,
Chennai District.
5. The Public Prosecutor, Madras High Court.



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

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