



WEB COPY

HCP No. 507 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. 507 of 2026**

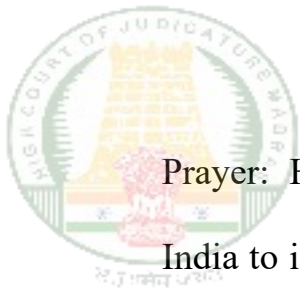
Fathima Natchiyar  
W/o Sheiknoorudin,  
Kasthuribai Street,  
Indra Complex,  
Koorainadu Village and Post,  
Mayiladuthurai Taluk and District.

..Petitioner(s)

Vs

1. The Secretary To The Government  
Home Prohibition and Excise Department,  
Secretariat, Chennai – 600009.
2. The District Collector and District Magistrate  
Mayiladuthurai District.
3. The Superintendent of Police  
Mayiladuthurai District.
4. The Superintendent of Prison  
Central Prison,  
Cuddalore.
5. The Inspector Of Police  
Mayiladuthurai All Women Police Station,  
Mayiladuthurai.

..Respondent(s)



Prayer: Habeas Corpus Petition is filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus 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 second respondent 30.12.2025 in C.O.C.No.50 of 2025 against the petitioner Husband Sheik Noorudin, male aged 44 years S/o Bugari who is confined at Central Prison, Cuddalore and set aside the same and direct the respondents to produce the detenue before the Honourable Court and set him at liberty.

For Petitioner(s): Mr. D.Balaji

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

### **ORDER**

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

The order of detention passed by the 2<sup>nd</sup> respondent in C.O.C.No.50 of 2025, dated 30.12.2025 is sought to be quashed in this Habeas Corpus Petition by the wife of the detenu .

2. The detention order was passed mainly on the ground that the detenu had committed a serious offence by sexually abusing his own daughter, resulting in her pregnancy and that he continued to commit such offences. Hence, the detaining authority, taking into consideration the serious nature of the offence, passed the impugned detention order.



3. The learned counsel for the petitioner, inviting our attention to the copy of Accident Register, states that the English version of the Accident Register has not been translated into Tamil Version and hence, the detenu is prevented from making effective representation. He further states that the similar case referred to by the detaining authority in the grounds of detention order, is not similar to the present case. He also states that, there is a variation between English and Tamil version of the grounds of detention and hence, there has been non application of mind on the part of the detaining authority while passing the detention order.

4. On perusal of the copy of Accident Register, it is seen that though all portions thereof have not been translated, the operative portion of the A.R. copy has been translated into Tamil at page No.7 of Volume-I of the booklet. Hence, no prejudice caused to detenu, as he can very well understand the contents by perusing the Tamil version and effectively make his representation.

5. On perusal of detention order, it was stated that in similar case in Crime No.16 of 2020 registered for the offences under Section 6 r/w 5(1), 5(j) (ii) of POCSO Act and 506(2) of IPC, bail was granted to the accused concerned by the Special Court under POCSO Act, Nagapattinam in CrI.M.P.No.373 of 2020, dated 10.11.2020 and hence, there is a real possibility



of the detenu coming out on bail by filing bail application. The overtacts attributed to the accused in the similar case as well in the present case are similar. Hence, the said ground raised by the detaining authority cannot be found fault with.

6. The other ground raised by the petitioner is that there is a variation between English and Tamil versions of the grounds of detention. However, the said ground is general in nature and since does not point out any specific variation. Hence, the same cannot be accepted.

7. In the light of the above discussion, we are not inclined to entertain this Habeas Corpus Petition and hence, the same is liable to be dismissed. Accordingly, this Habeas Corpus Petition is dismissed.

(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,  
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