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HCP No. 2419 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-07-2026

CORAM

THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

HCP No. 2419 of 2025

Subashini

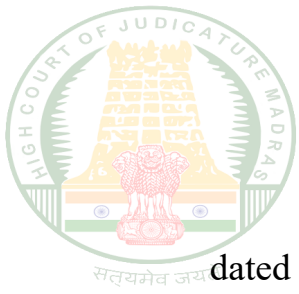
..Petitioner/
Mother of the Detenu

Vs

1. The Secretary to the Government,
Home, Prohibition and Excise Department,
Secretariat, Chennai - 600 009.
2. The District Collector and District Magistrate of
Ranipet District, Ranipet-1.
3. The Superintendent of Police,
Ranipet District, Ranipet.
4. The Superintendent of Prison,
Central Prison, Vellore.
5. The Inspector of Police,
Walajapet Police Station,
Ranipet District.

..Respondent(s)

Prayer : Petition filed under Article 226 of Constitution of India praying for issuance of Writ of Habeas Corpus, calling for the records in connection with the order of detention passed by the second respondent



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dated 01.11.2025 in B3/D.O.No.95/2025 against the petitioner's son Gopi, Male, aged 25 years, S/o.Govindaraj, who is confined at Central Prison, Vellore and set aside the same and direct the respondents to produce the detenu before this Court and set him at liberty.

For Petitioner(s): Mr.M.Mohamed Saifulla
for Mr.D.Balaji

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

ORDER

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

The mother of the detenu – Gopi, aged 25 years, S/o.Govindaraj, has filed this petition challenging the detention order dated 01.11.2025, branding him as a 'Goonda' under Section 2(f) of the Tamil Nadu Preventive Detention Act, 1982 (Act 14/1982).

2. Heard the learned counsel for the petitioner and the learned Counsel for Government of Tamil Nadu (Criminal Side) for the respondents.

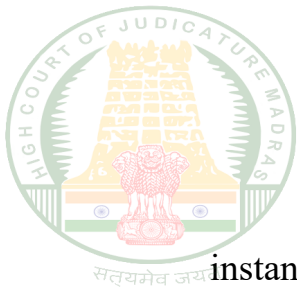


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3.It is seen that the Page Nos.95 and 96 of the booklet, which is the Forensic Examination Report, relied upon by the detaining authority, has not been translated in Tamil. Admittedly, the detenu has studied only up to 12th standard and is acquainted only with Tamil. 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.Secondly, the detaining authority has stated that the detenu had filed a bail application in CrI.M.P.No.1539 of 2025 before the Principal Sessions Judge, Ranipet and the same is pending; and that in a similar case, bail was granted to some other accused by the Principal Sessions Judge, Ranipet, in CrI.M.P.No.387 of 2025 on 24.03.2025.

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



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instant case. The facts in the said case are not comparable to the present case as the nature of contraband found in possession of the accused therein and the nature of contraband found in possession of the detenu are different. Therefore, the reliance placed by the detaining authority on the said order, vitiates his subjective satisfaction as regards the possibility of the detenu coming out on bail. For both the reasons, the detention order is liable to be quashed.

6. In light of the above discussion, this Habeas Corpus Petition is allowed and the Detention Order passed by the second respondent in B3/D.O.No. 95/2025 dated 01.11.2025 is set aside.

7. The detenu, viz., Gopi, aged 25 years, S/o.Govindaraj, now confined in Central Prison, Vellore, is 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.)
15-07-2026

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



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Note: Issue order copy today

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To

1. The Secretary to the Government,
Home, Prohibition and Excise Department,
Secretariat, Chennai - 600 009.
2. The District Collector and District Magistrate of
Ranipet District, Ranipet-1.
3. The Superintendent of Police,
Ranipet District, Ranipet.
4. The Superintendent of Prison,
Central Prison, Vellore.
5. The Inspector of Police,
Walajapet Police Station,
Ranipet 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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**DR.ANITA SUMANTH, J.
AND
SUNDER MOHAN, J.**

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