



WEB COPY



HCP No. 2595 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.2595 of 2025

R.Indhumathi

...Petitioner(s)

Vs

1. The Additional Chief Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat, Chennai – 600 009.
2. The District Collector and District Magistrate
of Tiruvannamalai District,
Tiruvannamalai District.
3. The Superintendent of Police,
Tiruvannamalai District.
4. The Superintendent of Prison,
Central Prison, Vellore,
Vellore District.
5. The Inspector of Police,
Arni Taluk Police Station,
Tiruvannamalai 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



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connection with the order of detention passed by the second respondent dated 04.11.2025 in D.O.No.54/2025-C2 against the petitioner's husband Rajasekar @ Vellai, son of Balaraman, aged about 31 years, who is confined at Central Prison, Vellore and to set aside the same and direct the respondents to produce the detenu before this Court and set him at liberty.

For Petitioner(s): Mr.S.Sivakumar

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 wife of the detenu – Rajasekar @ Vellai, S/o.Balaraman, aged 31 years, has filed this petition challenging the detention order dated 04.11.2025, branding him as a 'Sand Offender' under Section 2(gg) of the Tamil Nadu Preventive Detention Act, 1982 (Act 14/1982).

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



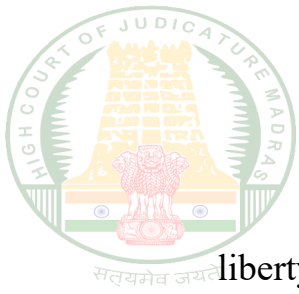
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3. We find from the booklet furnished to the detenu that some of the documents relied upon by the detaining authority, viz., the Arrest Intimation Form, the similar bail order relied upon by the detaining authority and also the orders granting bail to the detenu in two adverse cases have not been translated in the language known to the detenu. Admittedly, the detenu is only acquainted 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. Accordingly, this Habeas Corpus Petition is allowed and the Detention Order passed by the second respondent in D.O.No.54/2025-C2 dated 04.11.2025 is set aside.

5. The detenu, viz., Rajasekar @ Vellai, S/o.Balaraman, aged 31 years, now confined in Central Prison, Vellore, is directed to be set at



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liberty forthwith, unless his presence is required in connection with any
other case.

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(A.S.M.,J.) (S.M.,J.)
15-07-2026

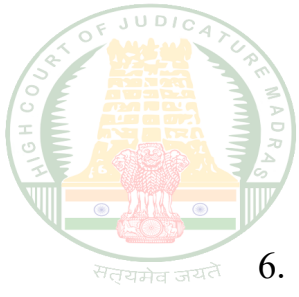
Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

Note: Issue order copy today

Tsg

To

1. The Additional Chief Secretary to Government,
Home, Prohibition and Excise Department, Secretariat,
Chennai – 600 009.
2. The District Collector and District Magistrate
of Tiruvannamalai District,
Tiruvannamalai District.
3. The Superintendent of Police,
Tiruvannamalai District.
4. The Superintendent of Prison,
Central Prison, Vellore,
Vellore District.
5. The Inspector of Police,
Arni Taluk Police Station,
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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.**

TSG

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