

HCP No.2476 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.2476 of 2025

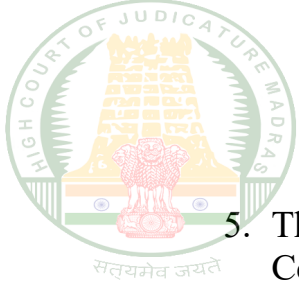
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Dhanush
S/o.Chandran,
No.41, M.G.R. Nagar, Kolathur Village,
Cheyyur Taluk,
Chengalpattu District – 603 304.

...Petitioner/Brother of
the Detenu

Vs

1. The Secretary to the Government,
Government of Tamil Nadu,
(Home) Prohibition and Excise Department,
Secretariat, Fort St. George,
Chennai - 600 009.
2. The District Magistrate and
District Collector,
Chengalpattu District,
Chengalpattu.
3. The Superintendent of Police,
Chengalpattu District,
Chengalpattu.
4. The Inspector of Police,
Prohibition Enforcement Wing,
Madurantakam, Chengalpattu District.



HCP No.2476 of 2025

5. The Superintendent of Prison,
Central Prison,
Puzhal, Chennai – 600 066.

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...Respondents

Prayer : Petition filed under Article 226 of Constitution of India praying for issuance of Writ of Habeas Corpus, calling for the entire records connected with the order of the 2nd respondent herein in CPT No.19/2025 dated 02.11.2025 passed against the petitioner's brother, the detenu namely Pasupathi, Son of Chandran, aged about 27 years, as a BOOTLEGGER who is confined at Central Prison, Puzhal, Chennai-600066 and set aside the same, consequently, directing the respondents herein to produce the body and person of the detenu before this Court and set him at liberty.

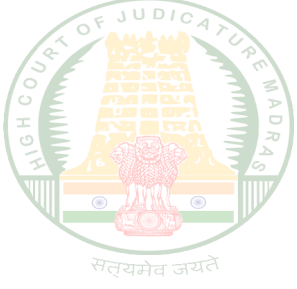
For Petitioner: Mr.A.Murugavel

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

ORDER

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

The brother of the detenu – Pasupathi, S/o.Chandran, aged 27 years, has filed this petition challenging the detention order dated 02.11.2025, branding him as a 'BOOTLEGGER' under Section 2(b) of the Tamil Nadu Preventive Detention Act, 1982 (Act 14/1982).

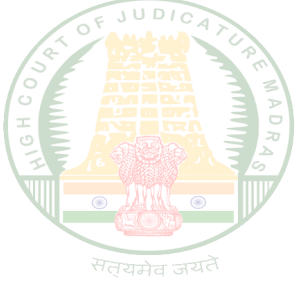


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2. We have heard learned counsel for petitioner and learned counsel for Government of Tamil Nadu (Crl.Side) for respondents.

3. We find from the booklet furnished to the detenu that some of the documents relied upon by the detaining authority, viz., the list of properties sent to the learned Magistrate and the Forensic Examination Report have not been translated in Tamil. Admittedly, the detenu is only acquainted with Tamil language. 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 CPT No.19/2025 dated 02.11.2025 is set aside.



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5. The detenu, viz., Pasupathi, S/o.Chandran, aged 27 years, now confined in Central Prison, Puzhal, Chennai – 600 066, is directed to be set at liberty forthwith, unless his presence is required in connection with any other case.

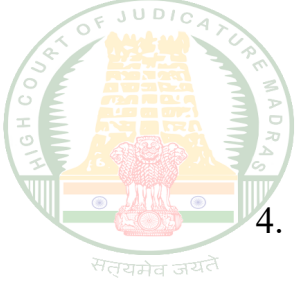
(A.S.M.,J.) (S.M.,J.)
15-07-2026

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

Issue order copy today
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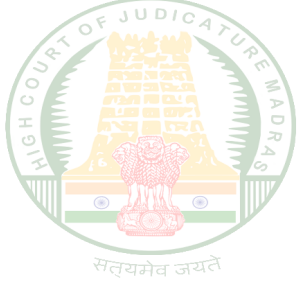
To

1. The Secretary to the Government,
Government of Tamil Nadu,
(Home), Prohibition and Excise Department,
Secretariat, Fort St. George,
Chennai-600 009.
2. The District Magistrate and District Collector.
Chengalpattu District,
Chengalpattu.
3. The Superintendent of Police,
Chengalpattu District,
Chengalpattu.



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4. The Inspector of Police,
Prohibition Enforcement Wing,
Madurantakam, Chengalpattu District.
5. The Superintendent of Prison,
Central Prison,
Puzhal, Chennai-600 066.
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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