



HCP No. 2739 of 2025

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-07-2026

CORAM

THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

HCP No. 2739 of 2025

Geetha

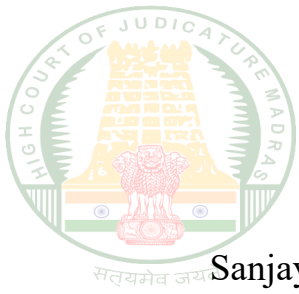
..Petitioner(s)

Vs

1. The Secretary to the Government,
Home, Prohibition and Excise Department,
Secretariat, Chennai - 600 009.
2. The District Collector and District Magistrate of
Cuddalore District, Cuddalore.
3. The Superintendent of Police,
Cuddalore District, Cuddalore.
4. The Superintendent of Prison,
Central Prison, Cuddalore.
5. The Inspector of Police,
Kattumannarkoil Police Station,
Cuddalore 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 26.11.2025 in C3/D.O/118/2025 against the petitioner's son



HCP No. 2739 of 2025

Sanjaykumar, male aged 21 years S/o.Kumar, who is confined at Central Prison, Cuddalore 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.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 – Sanjaykumar, aged 21 years, S/o.Kumar, has filed this petition challenging the detention order dated 26.11.2025, branding him as ‘Goonda’ under Section 2(f) of the Tamil Nadu Preventive Detention Act, 1982 (Act 14/1982).

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

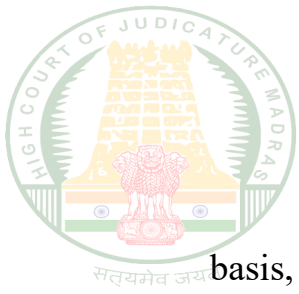
3. The detention order is liable to be quashed for more than one reason. Firstly, it is seen that the translated copy of the Accident Register



WEB COPY

that has been relied upon by the detaining authority has not been furnished to the detenu. Admittedly, the detenu 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 detenu's detention illegal.

4. Secondly, we find that the detaining authority has stated that the detenu had moved a bail application before the Court of the Principal District and Sessions Judge, Cuddalore in CrI.M.P.No.7190 of 2025 and the same was dismissed on 20.11.2025; and that there was a possibility of the detenu coming out on bail by filing appropriate bail application. Admittedly, there was no material placed before the detaining authority that the detenu or his relatives were taking steps to file a bail application. In such circumstances, inference of the detaining authority that the detenu is likely to file a bail application and come out on bail is his mere *ipse dixit*. Since the satisfaction arrived at by the detaining authority is without



HCP No. 2739 of 2025

WEB COPY

basis, the conclusion that the detenu would indulge in further criminal activities, is vitiated. For the above mentioned reasons, the detention order is liable to be quashed.

5. In light of the aforesaid discussion, this Habeas Corpus Petition is allowed and the Detention Order passed by the second respondent in C3/D.O./118/2025 dated 26.11.2025 is set aside.

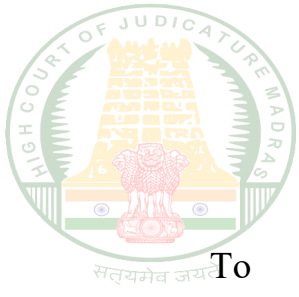
6. The detenu, viz., Sanjaykumar, aged 21 years, S/o.Kumar, who is now confined in Central Prison, Cuddalore, is hereby directed to be set at liberty forthwith unless his presence is required in connection with any other case.

(A.S.M.,J.) (S.M.,J.)
08-07-2026

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

Note: Issue Order copy today.

TSG



HCP No. 2739 of 2025

To
WEB COPY

1. The Secretary to the Government,
Home, Prohibition and Excise Department,
Secretariat, Chennai - 600 009.
2. The District Collector and District Magistrate of
Cuddalore District, Cuddalore.
3. The Superintendent of Police,
Cuddalore District, Cuddalore.
4. The Superintendent of Prison,
Central Prison, Cuddalore.
5. The Inspector of Police,
Kattumannarkoil Police Station,
Cuddalore District.
6. The Joint Secretary,
Law and Order Department, Secretariat,
Chennai – 600 009.
7. The Public Prosecutor,
High Court of Madras.



WEB COPY



HCP No. 2739 of 2025

**DR.ANITA SUMANTH, J.
AND
SUNDER MOHAN, J.**

TSG

HCP No. 2739 of 2025

08-07-2026

Page 6 of 6