



WEB COPY



HCP.No.1154 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 24.10.2025

CORAM

THE HONOURABLE MR . JUSTICE N.SATHISH KUMAR

AND

THE HONOURABLE MR. JUSTICE M.JOTHIRAMAN

H.C.P.No.1154 of 2025

Dinesh
S/o.Thulasi

..

Petitioner

Versus

1. The Secretary to Government
Home, Prohibition and Excise Department
Secretariat
Chennai – 600 009
2. The District Collector and District Magistrate
Tirupathur District, Tirupathur- 635 601
3. The Superintendent of Police
Tirupathur District, Tirupathur – 635 601
4. The Superintendent of Prison
Central Prison, Vellore
5. The Inspector of Police
Tirupathur PEW Police Station
Tirupathur District

..

Respondents



HCP.No.1154 of 2025

WEB COPY

Prayer:- Habeas Corpus Petition filed under Article 226 of the Constitution of India praying for a Writ of Habeas Corpus to call for the records in connection with the order of detention passed by the second respondent dated 10.06.2025 in C3/D.O.No.17/2025 against the petitioner father Thulasi, male, aged 54 years, Son of Kuppusamy, who is confined at Central Prison, Vellore and set aside the same and direct the respondents to produce the detenue before this Court and set him at liberty.

For Petitioner : Mr.D.Balaji

For Respondents : Mr.A.Gokulakrishnan
Additional Public Prosecutor

ORDER

(Order of the Court was made by N.SATHISH KUMAR, J.)

The petitioner, who is the son of the detenu Thulasi, S/o.Kuppusamy, aged 54 years, has come forward with this petition challenging the detention order passed by the second respondent dated 10.06.2025 slapped on his father, branding him as "Bootlegger" under the Tamil Nadu Prevention of Dangerous Activities of Bootleggers, Drug Offenders, Forest Offenders, Goondas, Immoral Traffic Offenders, Sand Offenders, Slum Grabbers and



HCP.No.1154 of 2025

Video Pirates Act, 1982 [Tamil Nadu Act 14 of 1982].

WEB COPY

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

3. Though many grounds have been raised in the petition, the main ground on which the petitioner seeks to set aside the detention order is that there is variation in the English version and Tamil Version of the Grounds of Detention, which prevented the detenu from making an effective representation against the order of detention and hence, the detention order is liable to be quashed.

4. We are of the view that when there is violation affecting the constitutional rights of the detenu and the detenu has not been given an opportunity to make an effective representation, the order of detention can be set aside.



HCP.No.1154 of 2025

WEB COPY

5. In view of the aforesaid reason, the detention order passed by the 2nd respondent dated 10.06.2025 in C3/D.O.No.17/2025 is hereby set aside and the Habeas Corpus Petition is allowed. The detenu viz., Thulasi, S/o.Kuppusamy, aged 54 years, is directed to be set at liberty forthwith unless he is required in connection with any other case.

[N.S.K.,J.] [M.J.R.,J.]
24.10.2025

Index: Yes/No
Neutral Citation: Yes/No
gpa



HCP.No.1154 of 2025

To
WEB COPY

1. The Secretary to Government
Home, Prohibition and Excise Department
Secretariat
Chennai – 600 009
2. The District Collector and District Magistrate
Tirupathur District, Tirupathur- 635 601
3. The Superintendent of Police
Tirupathur District, Tirupathur – 635 601
4. The Superintendent of Prison
Central Prison, Vellore
5. The Inspector of Police
Tirupathur PEW Police Station
Tirupathur District
6. The Joint Secretary to Government
Public (Law & Order)
Fort Saint George, Chennai – 9
7. The Public Prosecutor
High Court, Madras.



WEB COPY



HCP.No.1154 of 2025

N.SATHISH KUMAR, J.,

AND

M.JOTHIRAMAN, J.,

gpa

H.C.P.No.1154 of 2025

24.10.2025