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HCP.No.1448 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 27.10.2025

CORAM

THE HONOURABLE MR . JUSTICE N.SATHISH KUMAR

AND

THE HONOURABLE MR. JUSTICE M.JOTHIRAMAN

H.C.P.No.1448 of 2025

Renuka

... Petitioner/
Wife of the detenu

Versus

1. The Additional Chief Secretary to the Government
Home, Prohibition and Excise Department
Secretariat, Fort St.George
Chennai – 600 009
2. The Commissioner of Police
Greater Chennai
Office of the Commissioner of Police
Vepery, Chennai
3. The Superintendent of Police
Central Prison, Puzhal, Chennai
4. The Inspector of Police
B2 Esplanade Police Station
Chennai

..

Respondents



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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 pertaining to the order of detention passed by the second respondent in his proceedings in No.395/BCDFGISSSV/2025, dated 21.06.2025 and quash the same as illegal and produce the detenu, namely Sureshkumar @ Chandru, S/o.Rangaraj, aged 29 years, as Goonda, now confined in Central Prison, Puzhal-II, Chennai before this Court and set him at liberty.

For Petitioner : Mr.C.Raja

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 wife of the detenu Sureshkumar @ Chandru, S/o.Rangaraj, male, aged 29 years, has come forward with this petition challenging the detention order passed by the second respondent dated 21.06.2025 bearing reference 395/BCDFGISSSV/2025 slapped on her husband branding him as "Goonda" under the Tamil Nadu Prevention of Dangerous Activities of Bootleggers, Drug Offenders, Forest Offenders,



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Goondas, Immoral Traffic Offenders, Sand Offenders, Slum Grabbers and Video Pirates Act, 1982 [Tamil Nadu Act 14 of 1982].

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

3. Though several grounds are raised in the petition, the learned counsel for the petitioner submitted that the order of detention passed by the Detaining Authority is vitiated for material irregularities, as the final report, has not been properly translated. It is, therefore, stated that the detenu is deprived of his valuable right to make effective representation.

4. It is seen that from page Nos. 7 to 21 of Volume II of the Booklet furnished to the detenu, the final report, has been furnished. However, in the final report page No.9 has not been properly translated in Tamil. This defective translation of the vital document in vernacular language would deprive the detenu of making effective representation to the authorities against the order of detention. Thus, the detention order is vitiated on this ground and the same is liable to be quashed.



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5. In view of the aforesaid reason, the detention order passed by the 2nd respondent dated 21.06.2025 in No.395/BCDFGISSSV/2025 is hereby set aside and the Habeas Corpus Petition is allowed. The detenu viz., Sureshkumar @ Chandru, S/o.Rangaraj, male, aged 29 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.]
27.10.2025

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



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Vepery, Chennai
3. The Superintendent of Police
Central Prison, Puzhal, Chennai
4. The Inspector of Police
B2 Esplanade Police Station
Chennai
5. The Joint Secretary to Government
Public (Law & Order)
Fort Saint George, Chennai – 9
6. The Public Prosecutor
High Court, Madras.



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