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*H.C.P.No.1459 of 2025*

IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 30.10.2025**

C O R A M

**THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR**

**AND**

**THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN**

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Bhuvaneswari

... Petitioner/Detenuue's Wife

-VS-

1. The Secretary to Government  
Home, Prohibition and Excise Department,  
Secretariat, Fort St.George, Chennai – 600 009.
2. The Commissioner of Police/Detaining Authority,  
Coimbatore City, Coimbatore District.
3. The Superintendent of Prison,  
Central Prison – Coimbatore,  
Coimbatore District.
4. State Rep by its  
The Inspector of Police,  
D-1, Ramanathapuram Police Station,  
Coimbatore District.

... Respondents

**Prayer:** Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus, calling for the entire records relating to the petitioner husband detention under Tamil Nadu Act 14 of 1982 vide detention order dated 11.07.2025 on the file of the second respondent herein made in proceedings C.No.115/G/IS/2025 quash the same as illegal and



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consequently direct the respondents herein to produce the petitioner's husband G.Manikandan @ Gundu Manikandan S/o.Gopal aged about 48 years before this Honble Court and set the peittioner husband at liberty from detention now the petitioner husband detained at Central Prison Coimbatore.

For Petitioner : Mr.W.Camyles Gandhi

For Respondents : Mr.A.Gokulakrishnan

Addl. Public Prosecutor

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### **ORDER**

The petitioner herein, who is the wife of the detenue, namely, G.Manikandan @ Gundu Manikandan, S/o.Gopal, aged about 48 years, detained at Central Prison, Coimbatore, has come forward with this petition, challenging the detention order dated 11.07.2025, passed by the second respondent in C.No.115/G/IS/2025, branding him as a "Goonda", as contemplated under Section 2(f) of the Tamil Nadu Prevention of Dangerous Activities of Bootleggers, Cyber Law Offenders, Drug Offenders, Forest Offenders, Goondas, Immoral Traffic Offenders, Sand Offenders, Sexual 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



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Additional Public Prosecutor appearing for the respondents.

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3. Though several points have been raised by the learned counsel for the petitioner, it is stated that the detention order is liable to be quashed on the ground that the detenue was furnished with illegible copy at Page No.35 in Vol.I of the booklet. Hence, it is submitted that the detenue was deprived of making effective representation.

4. On a perusal of the Booklet, it is seen that Page No.35 of the Booklet in Volume-I furnished to the detenue, is illegible. This furnishing of illegible copy of the vital document would deprive the detenue of making effective representation to the authorities against the order of detention.

5. In this context, it is useful to refer to the judgment of the Hon'ble Supreme Court in '*Powanammal Vs. State of Tamil Nadu*' reported in '*(1999) 2 SCC 413*'. The Hon'ble Supreme Court, after discussing the safeguards embodied in Article 22[5] of the Constitution, observed that the detenue should be afforded an opportunity of making



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representation effectively against the Detention Order and that, the failure to supply every material in the language which can be understood by the detainee, is imperative. In the said context, the Hon'ble Supreme Court has held in Paragraphs 9 and 16 {as in SCC journal} as follows:

“9.However, this Court has maintained a distinction between a document which has been relied upon by the detaining authority in the grounds of detention and a document which finds a mere reference in the grounds of detention. Whereas the non-supply of a copy of the document relied upon in the grounds of detention has been held to be fatal to continued detention, the detainee need not show that any prejudice is caused to him. This is because the non-supply of such a document would amount to denial of the right of being communicated the grounds and of being afforded the opportunity of making an effective representation against the order. But it would not be so where the document merely finds a reference in the order of detention or among the grounds thereof. In such a case, the detainee's complaint of non-supply of document has to be supported by prejudice caused to him in making an effective representation. What applies to a document would equally apply to furnishing a translated copy of the document in the language known to and understood by the detainee, should the document be in a different language.

..... **16.**For the above reasons, in our view, the non-supply of the Tamil version of the English document, on the facts and in the circumstances, renders her continued detention illegal. We, therefore,



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direct that the detenue be set free forthwith unless she is required to be detained in any other case. The appeal is accordingly allowed.”

6. In view of the ratio laid down by the Hon'ble Supreme Court and in view of the aforesaid facts, this Court is of the view that the detention order is liable to be quashed.

7. For the aforesaid reasons, the Habeas Corpus Petition is allowed and the Detention Order passed by the Second Respondent in C.No.115/G/IS/2025 dated 11.07.2025 is hereby set aside. The detenue, viz., G.Manikandan @ Gundu Manikandan, S/o.Gopal, aged about 48 years, who is now confined in the Central Prison, Coimbatore, is hereby directed to be set at liberty forthwith unless his presence is required in connection with any other case.

(N.S.K,J.,) (M.J.R,J.,)  
30.10.2025

Index: Yes / No  
Internet: Yes / No  
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**N.SATHISH KUMAR, J.**  
**AND**

