



WEB COPY



HCP No.1557 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.11.2025

CORAM

THE HONOURABLE MR JUSTICE N. SATHISH KUMAR
AND
THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN

HCP No.1557 of 2025

Vishnu
S/o.Ravi,
No.70/3, Kamaraj Nagar 1st Veethi,
Goundampalayam, Coimbatore North,
Coimbatore District.

Petitioner(s)

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,
Special Prison of Women-Coimbatore, Coimbatore District.
- 4.State represented by its
The Inspector of Police, PEW-Coimbatore,
Coimbatore District.

Respondent(s)



HCP No.1557 of 2025

Habeas Corpus Petition filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus to call for the entire records, relating to the petitioner's mother's detention under Tamil Nadu Act 14 of 1982 *vide* detention order, dated 24.07.2025 on the file of the second respondent herein made in proceedings C.No.123/G/IS/2025, quash the same as illegal and consequently direct the respondents herein to produce the petitioners mother namely R.Thenmozhi, W/o.Ravi, aged 44 years, before this High Court and set the petitioner's mother at liberty.

For Petitioner(s): Mr.W.Camyles Gandhi

For Respondent(s): Mr.A.Gokulakrishnan
Additional Public Prosecutor

ORDER

(made by N.Sathish Kumar, J.)

The petitioner, who is the son of the detenu R.Thenmozhi, W/o.Ravi, aged 44 years, has come forward with this petition challenging the detention order passed by the second respondent dated 24.07.2025 bearing C.No.123/G/IS/2025 slapped on his mother, branding her as "Drug Offender" under the Tamil Nadu Prevention of Dangerous Activities of Bootleggers, Drug Offenders, Forest Offenders, Goondas, Immoral Traffic Offenders, Sand Offenders, Slum Grabbers and Video Pirates Act, 1982 [Tamil Nadu Act 14 of 1982].



HCP No.1557 of 2025

WEB COPY

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

3. Though several grounds have been raised by the petitioner in the habeas corpus petition assailing the detention order, in the hearing, learned counsel for the petitioner mainly focused his argument on the ground that the language known to the detinue is Tamil but the remand report translated in Tamil was not served on the detinue and the same has prevented her from making an effective representation against the detention order. Hence, the impugned order is liable to be set aside.

4. *Per contra*, learned Additional Public Prosecutor submits that the order of detention has been passed on cogent and sufficient materials and the same cannot be interfered with at the instance of the petitioner.

5. A perusal of the booklet would disclose that the translated version of the remand report at page no.47 in Volume-I of the booklet was not furnished to the detinue in a language known to her, thereby, the detinue



HCP No.1557 of 2025

has been put to prejudice and is deprived of making an effective representation for revocation of the detention order. The non-furnishing of translated version of document(s) relied on by the detaining authority particularly when the detainee is not conversant with the language violates his constitutional rights and can vitiate the detention order. Hence, on this ground, the impugned order of detention is vitiated and is liable to be quashed.

In the result, this Habeas Corpus Petition is allowed and the detention order passed by the second respondent dated 24.07.2025 in C.No.123/G/IS/2025 is hereby set aside. The detainee R.Thenmozhi, W/o.Ravi, aged 44 years, is directed to be set at liberty forthwith unless she is required in connection with any other case.

(N.S.K., J.) (M.J.R., J.)
04.11.2025

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



HCP No.1557 of 2025

WEB COPY

To

- 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,
Special Prison of Women-Coimbatore, Coimbatore District.
- 4.The Inspector of Police,
PEW-Coimbatore,
Coimbatore District.
- 5.The Public Prosecutor,
Madras High Court, Chennai.
- 6.The Joint Secretary to Government,
Public (Law and Order),
Fort St.George, Chennai – 9.



WEB COPY



HCP No.1557 of 2025

N.SATHISH KUMAR, J.
and
M.JOTHIRAMAN, J.

nsd

HCP No.1557 of 2025

04.11.2025