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HCP No.1637 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-10-2025

CORAM

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

HCP No.1637 of 2025

Sakiran
W/o. Shan Basha, No.99,
Londanpettai, Krishnagiri Post,
Krishnagiri - 635001.

Petitioner(s)

Vs

1.The Secretary to Government,
Home, Prohibition and Excise Department,
Government of Tamil Nadu, Fort St.George,
Chennai - 600009.

2.The District Collector and District Magistrate,
Krishnagiri District.

3.The Superintendent of Police,
Krishnagiri District.

4.The Superintendent of Police,
Central Prison, Salem.

5.The Inspector of Police,
Bargur Police Station, Krishnagiri District.



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Respondent(s)

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Habeas Corpus Petition filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus to call for the records in connection with the detention order passed by the second respondent dated 19.06.2025 in S.C.No.17/2025 against the petitioner's son Kadhar Basha, S/o.Shan Basha, aged 19 years, who is confined in Central Prison, Salem and set aside the detention order and direct the respondents to produce him before this Court and set him at liberty.

For Petitioner(s): Mr.L.Ramanathan

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

ORDER

(made by N.Sathish Kumar, J.)

The petitioner, who is the mother of the detenu Kadhar Basha, S/o.Shan Basha, aged 19 years, has come forward with this petition challenging the detention order passed by the second respondent dated 19.06.2025 bearing reference S.C.No.17/2025 slapped on her son, branding him as "Goonda" under the Tamil Nadu Prevention of Dangerous Activities of Bootleggers, Drug Offenders, Forest Offenders, Goondas, Immoral



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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 arrest intimation form 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. 33 & 34 of Volume I of the Booklet furnished to the detenu, the arrest intimation form, has been furnished. However, in the arrest intimation form 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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(N.S.K., J.) (M.J.R., J.)

25-10-2025

nsd

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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To

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Home, Prohibition and Excise Department,
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- 3.The Superintendent of Police,
Krishnagiri District.
- 4.The Superintendent of Police,
Central Prison, Salem.
- 5.The Inspector of Police,
Bargur Police Station, Krishnagiri District.
- 6.The Public Prosecutor,
Madras High Court, Chennai.
- 7.The Joint Secretary to Government,
Public (Law and Order),
Fort St.George, Chennai – 9.



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