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H.C.P. No.1606 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 18.12.2025

Coram:

THE HONOURABLE MR.JUSTICE P.VELMURUGAN
and
THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN

H.C.P. No.1606 of 2025

Lakshmi

.. Petitioner

Vs.

1. The Secretary to Government
Home Prohibition and Excise Department
Secretariat, Chennai – 600 009
2. District Magistrate and Collector of
Kallakurichi District, Kallakurichi
3. The Superintendent of Police
Kallakurichi District, Kallakurichi
4. The Superintendent of Prison
Central Prison, Cuddalore
5. The Inspector of Police
All Women Police Station, Ulundurpet
Kallakurichi District

.. Respondents

Prayer: Habeas Corpus Petition filed under Article 226 of the Constitution of India, to call for the records in connection with the order of detention passed by the second respondent dated 15.07.2025 in D.O.No.C2/22/2025 against the petitioner wife Manikandan, male aged 36 years S/o.Kaliyan, who is confined at Central Prison, Cuddalore and set aside the same and direct the respondents to produce the detainee before this Court and set him at liberty.



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H.C.P. No.166 of 2025

For Petitioner : Ms.D.Rajalakshmi
For Respondents : Mr.R.Muniyapparaj
Additional Public Prosecutor
assisted by Mr.M.Sylvester John

ORDER

(The Order of the Court was made by P.Velmurugan, J)

This Habeas Corpus Petition has been filed to call for the records in connection with the order of detention passed by the second respondent dated 15.07.2025 in D.O.No.C2/22/2025 against the petitioner's husband, ie. detenu-Manikandan, male aged 36 years S/o.Kaliyan, who is now confined at Central Prison, Cuddalore and set aside the same and direct the respondents to produce the detenu before this Court and set him at liberty.

2. Though the learned counsel for the petitioner took several grounds to quash the impugned order of detention, he focused mainly on two grounds. One of the grounds is that, the arrest intimation was not given in translated version for which, the learned Additional Public Prosecutor submitted that the detenu is an educated person and is also a Graduate and hence, there is no need for translated version and further, the arrest intimation was given to the wife of the detenu/petitioner.

3. The other ground taken by the learned counsel for the petitioner is that there was no likelihood of the detenu coming out on bail, however, in the impugned detention



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order, it has been stated that the relatives of the detenu were taking steps to file a bail application for the detenu.

4. Admittedly, there is no material to show that the relatives of the detenu were taking effective steps to get bail for the detenu. Therefore, this Court is of the opinion that the grounds of detention are non application of mind on the part of the detaining authority while passing the impugned order of detention.

5. Accordingly, the impugned order of detention passed by the second respondent dated 15.07.2025 in D.O.No.C2/22/2025 against the petitioner's husband namely Manikandan, S/o.Kaliyan, is hereby quashed on the ground of non application of mind on the part of the detaining authority while passing the impugned detention order.

6. The detenu namely Manikandan, S/o.Kaliyan, is directed to be set at liberty forthwith, unless he is required in connection with any other case.

7. With the above direction, this Habeas Corpus Petition is allowed.

(P.V., J) (M.J.R., J)
18.12.2025

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Neutral Citation: Yes/No



H.C.P. No.160 of 2020

To

1. The Secretary to Government
Home Prohibition and Excise Department
Secretariat, Chennai – 600 009
2. District Magistrate and Collector of
Kallakurichi District, Kallakurichi
3. The Superintendent of Police
Kallakurichi District, Kallakurichi
4. The Superintendent of Prison
Central Prison, Cuddalore
5. The Inspector of Police
All Women Police Station, Ulundurpet
Kallakurichi District
6. The Public Prosecutor,
High Court, Madras.



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P.VELMURUGAN, J

and

M.JOTHIRAMAN, J

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