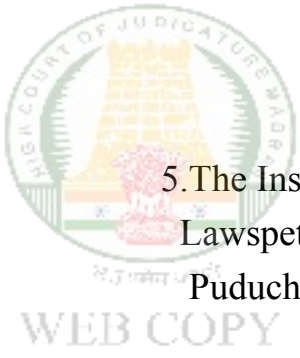






5.The Inspector Of Police,  
Lawspet Police Station,  
Puducherry.

Respondent(s)

**PRAYER**

This writ petition filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus to call for the records in No.03/DM/RO/D2/PPASAA/2025 dated 31.07.2025 on the file of the 2nd respondent and quash the same as illegal and consequently direct the respondents to produce the petitioner's husband Thiru.Karnan @ Thirunavukkarasu, S/o.Ramalingam, who is now detained in Central Prison, Kalapet, Puducherry before this Honble Court, and set him at liberty.

For Petitioner(s): Mr. K.Gandhi Kumar

For Respondent(s): Mr. K.S.Mohandoss,  
Public Prosecutor (pondy)

**ORDER**

**(Order of the Court was made by N.Sathish Kumar J.)**

The petitioner, who is the wife of the detenu Karnan @ Thirunavukkarasu S/o. Ramalingam, male, aged 44 years, has come forward with this petition



challenging the detention order passed by the second respondent dated 31.07.2025 bearing reference No. 03/DM/RO/D2/PPASAA/2025 slapped on her husband, branding him as "Dangerous Person" under Sub Section (2) of Section 3 of the Puducherry Prevention of Anti Social Activities Act, 2008(Act No.10 of 2010).

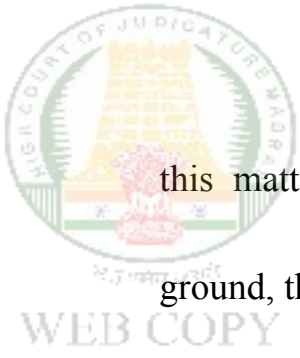
2. Heard the learned counsel for the petitioner and the learned Public Prosecutor(Pondy) appearing for the respondents.

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 petitioner submitted that live and proximate link between the grounds of detention and purpose of detention has snapped as the petitioner's husband was remanded to judicial custody on 26.04.2025 but the impugned detention order has been passed on 31.07.2025.



4. Mr.K.S.Mohandoss, learned Public Prosecutor(Pondy), submits to the contrary by saying that materials had to be collected /collated and time was consumed in this exercise. Considering the facts and circumstances of the case and nature of ground case, we find that this explanation of learned Prosecutor is unacceptable.

5. In *Sushanta Kumar Banik's* case [*Sushanta Kumar Banik Vs. State of Tripura & others reported in 2022 LiveLaw (SC) 813 : 2022 SCC OnLine SC 1333*] which arose under 'Prevention of Illicit Traffic in Narcotic Drugs and Psychotropic Substances Act, 1988' [hereinafter 'PIT NDPS Act' for the sake of brevity] in Tirupura, after considering the proposal by the Sponsoring Authority and after noticing the trajectory the matter took, Hon'ble Supreme Court held that the 'live and proximate link between grounds of detention and purpose of detention snapping' point should be examined on a case to case basis. Hon'ble Supreme Court has held in *Banik* case law that this point has two facets. One facet is 'unreasonable delay' and other facet is 'unexplained delay'. We find that



this matter falls under latter facet i.e., unexplained delay. Hence, on this ground, the detention order is liable to be set aside.

6. In the result, this Habeas Corpus Petition is allowed and the detention order passed by the 2<sup>nd</sup> respondent dated 31.07.2025 in Memo No. 03/DM/RO/D2/PPASAA/2025 is hereby set aside. The detenu viz., Karnan @ Thirunavukkarasu S/o. Ramalingam, aged 44 years, is directed to be set at liberty forthwith unless he is required in connection with any other case.

**(N.SATHISH KUMAR J.) (M.JOTHIRAMAN J.)**  
**10-11-2025**

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

mrp



To  
WEB COPY

1. The Special Secretary To Government, (Home),  
Government of Puducherry,  
Chief Secretariat, Goubert Avenue,  
Puducherry-605 001.
2. The District Magistrate Cum Authorized Officer,  
Puducherry District, Puducherry.
3. The Senor Superintendent Of Police (L And O),  
Puducherry.
4. The Chief Superintendent Of Jail,  
Central Prison, Kalapet, Puducherry.
5. The Inspector Of Police,  
Lawspet Police Station, Puducherry.
6. The Public Prosecutor,  
High Court of Madras, Chennai.



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HCP No. 1695 of 2025



**N.SATHISH KUMAR J.**  
**AND**  
**M.JOTHIRAMAN J.**

mrp

**HCP No. 1695 of 2025**

**10-11-2025**