



HCP.No.1767 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 24.10.2025

CORAM

THE HONOURABLE MR. JUSTICE N.SATHISH KUMAR

AND

THE HONOURABLE MR. JUSTICE M.JOTHIRAMAN

H.C.P.No.1767 of 2025

Devi

... Petitioner

Versus

1. The Additional Chief Secretary to Government
Home, Prohibition and Excise (XVI) Department
Secretariat
Chennai – 600 009
2. The District Collector and District Magistrate
Kanchipuram District, Kanchipuram
3. The Superintendent of Police
O/o.Superintendent of Police, Kanchipuram District
4. The Superintendent of Prison
Central Prison Puzhal
Chennai District
5. The Inspector of Police



HCP.No.1767 of 2025

Kanchi Taluk Police Station

Kanchipuram District

.. Respondents

Prayer:- Habeas Corpus Petition filed under Article 226 of the Constitution of India praying for a Writ of Habeas Corpus to call for the entire records connected with the detention order in Rc.No.536/2025/M6, D.No.18/2025 on 16.06.2025 on the file of the Respondent No.2 and quash the same and direct the respondents to produce petitioner's son one named Anbu @ Athi, S/o.Narasimma Pallavan, aged 20 years, now confined at Central Prison, Puzhal, Chennai before this Court and set him at liberty forthwith.

For Petitioner : Mr.P.Muthamizhselvakumar

For Respondents : Mr.A.Gokulakrishnan
Additional Public Prosecutor

ORDER

(Order of the Court was made by N.SATHISH KUMAR, J.)

The petitioner, who is the mother of the detenu Anbu @ Athi, S/o.Narasimma Pallavan, aged 20 years , has come forward with this petition challenging the detention order passed by the second respondent dated 16.06.2025 bearing reference Rc.No.536/2025/M6-D.O.18/2025 slapped on her son, branding him as "Drug Offender" under the Tamil Nadu Prevention of Dangerous Activities of Bootleggers, Drug Offenders, Forest Offenders, Goondas, Immoral Traffic Offenders, Sand Offenders, Slum



HCP.No.1767 of 2025

Grabbers and Video Pirates Act, 1982 [Tamil Nadu Act 14 of 1982].

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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 detenu is Tamil but the arrest intimation translated in Tamil was not served on the detenu and the same has prevented him 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 arrest intimation was not furnished to the detenu in a language known to him, thereby the detenu has been put to prejudice and is deprived of



HCP.No.1767 of 2025

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making an effective representation for revocation of the detention order.

The non furnishing of translated version of document relied on by the detaining authority particularly when the detenu 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.

6. In the result, this Habeas Corpus Petition is allowed and the detention order passed by the 2nd respondent dated 16.06.2025 in Rc.No.536/2025/M6-D.O.18/2025 is hereby set aside and. The detenu viz., Anbu @ Athi, S/o.Narasimma Pallavan, aged 20 years, is directed to be set at liberty forthwith unless he is required in connection with any other case.

[N.S.K.,J.]

[M.J.R.,J.]

24.10.2025

Index: Yes/No

Neutral Citation: Yes/No

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HCP.No.1767 of 2025

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To

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Chennai District
5. The Inspector of Police
Kanchi Taluk Police Station
Kanchipuram District
6. The Joint Secretary to Government
Public (Law & Order)
Fort Saint George, Chennai – 9
7. The Public Prosecutor
High Court, Madras.



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HCP.No.1767 of 2025

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H.C.P.No.1767 of 2025

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