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Crl.M.P.No.19575 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

Crl.M.P.No.19575 of 2025

in

H.C.P.No.1081 of 2025

Visalatchi

... Petitioner

Vs.

1.The Additional Chief Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat,
Chennai - 600 009.

2.The Commissioner of Police,
Greater Chennai.

3.The Superintendent of Prison,
Central Prison,
Puzhal, Chennai - 66.

4.State represented by the Inspector of Police,
Law & Order,
P-6 Kodungaiyur Police Station,
Chennai.

... Respondents



Crl.M.P.No.19575 of 2025

Prayer in Crl.M.P.No.19575 of 2025 : Writ Miscellaneous Petition filed under Article 226 of the Constitution of India to grant special leave or interim release of the son of the petitioner, detenu namely Ajithraj, S/o. Nagendran, Male aged about 29 years, who is confined in Central Prison, Puzhal, Chennai, in H.C.P.No.1081 of 2025.

Prayer in H.C.P.No.1081 of 2025 : Writ of Habeas Corpus calling for the records relating to the detention order passed by the 2nd respondent in No.287/BCDFGISSSV/2025 dated 28.05.2025 against petitioner's son branding him as GOONDA and quash the same and direct the respondent to produce petitioners son Ajithraj s/o Nagendran aged about 29 years now confined at Central Prison Puzhal-II Chennai before this Honble Court and set him at liberty.

For Petitioner : Mr.S.Senthilvel
For R1 to R4 : Mr.A.Gokulakrishnan
Additional Public Prosecutor

ORDER

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

This petition has been filed by the mother of the detenu namely Ajithraj, S/o.Nagendran. aged about 29 years. now confined at Central



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Prison Puzhal, Chennai, who was detained under Act 14/1982 branding him as "Goonda", by order of the 2nd respondent dated 28.05.2025.

2.The petitioner's husband/father of the detenu died on 09.10.2025. Earlier, to attend his funeral, the petitioner's son was released for three days by the 4th respondent on 10.10.2025 along with escort. Thereafter, the detenu surrendered back before the prison authorities on 12.10.2025. Now, it is the contention of the petitioner that the 16th day ceremony of the petitioner's husband is scheduled to be held on 26.10.2025 and in order to attend the 16th day ceremony, the petitioner prays for leave to release her son for one day.

3.Though the learned counsel for the petitioner seeks two days leave, admittedly, there is no provision under law to release the detenu(e) for such ceremony and further, the Tamil Nadu Suspension of Sentence Rules, 1982, also is not applicable, since the person is not convicted or sentenced to imprisonment, whereas, he is detained only under Act 14/1982. However, considering the importance of the ceremony and having regard to the fact



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that presence of the detenu, being the son, is necessary to do the rituals to his deceased father, this Court, exercising its powers under Article 226 of the Constitution of India, is inclined to grant one day leave to the detenu on 26.10.2025.

4. Accordingly, the detenu namely Ajithraj, S/o.Nagendran, aged about 29 years, now confined at Central Prison Puzhal, Chennai, shall be released on 26.10.2025 in the morning hours and the 4th respondent Police shall take the detenu to his house with necessary escort for performance of the 16th day ceremony of his father and thereafter, the detenu shall be taken back to custody and produced before the prison authorities at 05.00 p.m. on 26.10.2025. The escort charges shall be paid by the petitioner in advance.

5. With the above directions, this petition is ordered.

(N.S.K., J.) (M.J.R., J.)
24.10.2025

mkn

Note to Registry : Issue order copy today

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Internet : Yes

Index : Yes / No

Speaking Order / Nonspeaking order

Neutral Citation : Yes / No

To

- 1.The Additional Chief Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat,
Chennai - 600 009.
- 2.The Commissioner of Police,
Greater Chennai.
- 3.The Superintendent of Prison,
Central Prison,
Puzhal, Chennai - 66.
- 4.The Inspector of Police,
Law & Order,
P-6 Kodungaiyur Police Station,
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- 5.The Public Prosecutor,
High Court, Madras.



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