



HCP(MD)No.163 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED :10.12.2025

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN
and

THE HONOURABLE MS.JUSTICE R.POORNIMA

HABEAS CORPUS PETITION(MD)No.163 of 2025

Panchavarnam

... Petitioner

vs.

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

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

3. The Superintendent of Prison
Central Prison, Madurai

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, calling for the records in pursuant to the proceedings of the second respondent in Detention Order No.Sr.No.03/S.O/2025 dated 23.01.2025 and quash the same and consequently direct the respondents to produce the detenue namely Bhuvaneshkumar, S/o.Narasingam aged 25 years who is now detained in Central Prison, Madurai before this Court and set him at liberty.



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For Petitioner : Mr. P.Praveen Kumar

For Respondents: Mr.T.Senthil Kumar
Additional Public Prosecutor

ORDER

[Order of the Court was made by G.K.ILANTHIRAIYAN, J.]

This Habeus Corpus Petition has been filed to quash the detention order passed by the second respondent in Detention Order No.Sr.No. 03/S.O/2025 dated 23.01.2025 and direct the respondents to produce the detenue namely Bhuvaneshkumar, S/o.Narasingam aged 25 years who is now detained in Central Prison, Madurai before this Court and set him at liberty.

2. We have heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents. We have also perused the records produced by the Detaining Authority.

3. The learned counsel appearing for the petitioner raised ground that the detenu was not served with the booklet following the order of detention dated 23.01.2025, which was served on the detenu only on



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29.01.2025. However the jail authorities has obtained his signature as though it was served on 25.01.2025. Further the statement of the victim was served on the detenu only on 30.01.2025. That apart there was delay in passing the order of detention from the date of arrest. The detenu was arrested and remanded to judicial custody on 31.12.2024, in pursuance to the registration of the First Information Report in Crime No.25 of 2024 for the offences under Sections 296(b), 115(2), 70(1), 351(2) of BNS, however, the order of detention was passed only on 23.01.2025. There are totally 4 accused in Crime No. 25 of 2024, however the second respondent police detained only two accused in this case by pick and choose method.

4. On perusal of the counter filed by the respondent and also on the submissions made by the learned Additional Public Prosecutor it is seen that the detenu was served with the booklet as early as on 25.01.2025 itself. The representation was sent by the mother of the petitioner as if the detenu was not served with the booklet. Further the booklet contains all the statements recorded from the witnesses including the statement of the victim recorded under Section 183 of BNSS.



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5. In the booklet it is seen that the person who recorded the statement of the victim in the hospital is the Sub Inspector of Police, All Women Police Station, Ramanathapuram District who registered the First Information Report in Crime No. 25 of 2024 for the offences under Sections 296(b), 115(2), 70(1), 351(2) of BNS. Therefore all the statements and the First Information Report are all part and parcel of the booklet and absolutely no prejudice would be caused to the detenu while making representation to re-consider the order of detention.

6. In view of the same the detenu has not made out any ground to interfere with the order of detention passed by the second respondent, hence, the petition is liable to be dismissed.

7. Accordingly, the Habeus Corpus Petition stands dismissed.

[G.K.I., J.] [R.P., J.]
10.12.2025

Index : Yes / No
Neutral Citation : Yes / No
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4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
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