



*HCP(MD)No.171 of 2025*

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED :08.12.2025

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

and

THE HONOURABLE MS.JUSTICE R.POORNIMA

HABEAS CORPUS PETITION(MD)No.171 of 2025

Jareena Beevi

... Petitioner

vs.

1. The State of Tamil Nadu

Rep. by its Additional Chief Secretary to Government,  
Home, Prohibition and Excise Department,  
Fort St.George,  
Chennai- 600 009.

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

3. The Superintendent of Prison  
Central Prison, Madurai  
New Jail Road,  
Madurai District

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, calling for the entire records pertaining to the detention order of the petitioner's son namely Ishmath



***HCP(MD)No.171 of 2025***

Imoon, S/o.Mohammed Rafeek, aged about 38 years vide detention order dated 27.12.2024 made in S.R.No.28/S.O/2024 passed by the second respondent and quash the same and consequently direct the respondents to produce the body or person of the detenu now detained at Central Prison, Madurai before this Court and set him at liberty.

For Petitioner : Mr. K.Muthumalai

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 S.R.No.28/S.O/2024 dated 27.12.2024 and direct the respondents to produce the detenu or body of the detenu namely the Ishmath Imoon, S/o.Mohammed Rafeek, aged about 38 years who is detained at Central Prison, Madurai and set him at liberty forthwith.

2. We have heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the



*HCP(MD)No.171 of 2025*

respondents. We have also perused the records produced by the Detaining Authority.

3.. The learned counsel appearing for the petitioner would submit that the detenu was arrested and remanded judicial custody on 21.11.2024 in pursuance to the registration of the First Information Report in Crime No. 12 of 2024 for the offences under Sections 5(m)(l)r/w. Section 6 of POCSO Act. He would further submit that the detaining authority passed the detention order on 27.12.2024 and as such there was an explained huge delay of 36 days. He further submitted that the entire investigation has been completed and trial also commenced in Spl.S.C.No.8 of 2025 on the file of the Fast Track Mahila Court, Ramanthapuram.

4. The learned Additional Public Prosecutor filed counter and submitted that the petitioner involved in a case of sexual offence and as such the victim girl was subjected to medical examination and also her statement was also recorded under Section 183 of BNSS. There was a delay for collecting those documents by sponsoring authority to sponsor



*HCP(MD)No.171 of 2025*

the detenu to detain the detenu under Act 14 of 1982. The detenue has been detained by an order dated 27.12.2024. Now trial commenced and the prosecution is yet to examine the investigating officer.

5. Considering the fact and circumstances of the case this Court is inclined to set aside the order of the detention.

6. In view of the aforesaid reason, the detention order passed by second respondent dated 27.12.2024 in S.R.No.28/S.O/2024 is hereby set aside and the Habeas Corpus Petition is allowed. The detenu viz., Ishmath Imoon, S/o.Mohammed Rafeek, aged about 38 years is directed to be set at liberty forthwith unless he is required in connection with any other case.

7. It is made clear that this Court cautiously does not want to go into the facts of the case and nature of crime committed by the detenu. Though this Court quash the order of detention it does not mean that the trial Court has to grant bail to the detenu. Further, the trial Court is



*HCP(MD)No.171 of 2025*

directed to consider the bail application, if any, filed by the detenu on its own merits in accordance with law without being influenced by any of the observations made in this order by this Court.

[G.K.I., J.] [R.P., J.]  
08.12.2025

Index : Yes / No  
Neutral Citation : Yes / No  
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To:

1. The Additional Chief Secretary to Government,  
State of Tamil Nadu  
Home, Prohibition and Excise Department,  
Fort St.George,  
Chennai- 600 009.
2. The District Collector and District Magistrate,  
Ramanathapuram District,  
Ramanathapuram
3. The Superintendent of Prison  
Central Prison, Madurai  
New Jail Road,  
Madurai District
4. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



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**G.K.ILANTHIRAIYAN, J.**  
**AND**  
**R.POORNIMA, J.**

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**DATED :08.12.2025**