

**H.C.P(MD)No.376 of 2025**

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**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 17.09.2025**

**CORAM:**

**THE HONOURABLE Mr.JUSTICE C.V.KARTHIKEYAN  
and  
THE HON'BLE Mr.JUSTICE R.VIJAYAKUMAR**

**H.C.P.(MD) No.376 of 2025**

Punithavalli

... Petitioner

Vs

1. The State of Tamilnadu, Rep by its  
Additional Chief Secretary to Government,  
Home, Prohibition and Excise Department,  
Fort St.George,  
Chennai 600009.
2. The District Collector and District Magistrate,  
Ramanathapuram District.  
Ramanathapuram.
3. The Superintendent of Prison,  
Central Prison,  
Madurai.
4. The Superintendent of Prison,  
District Prison,  
Ramanathapuram.
5. The Inspector of Police,  
Uthirakosamangai Police Station,  
Ramanathapuram District.

... Respondents



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**PRAAYER:** Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, calling for the records relating to the detention order passed by the 2<sup>nd</sup> respondent in Detention Order in S.R No.07/S.O/2025 dated 06.02.2025 and quash the same and direct the respondents to produce the detenu, Palanimurugan, S/o.Andy, Male, aged about 35 years, who is detained at Central Prison, Madurai, before this Court and set him at liberty.

For Petitioner : Mr.D.Packiaraj

For Respondents : Mr.A.Thiruvadikumar

Additional Public Prosecutor

### **ORDER**

**(Order of the Court was made by C.V.KARTHIKEYAN,J.)**

The petitioner is the wife of the detenu viz., Palanimurugan, S/o.Andy, Male, aged about 35 years. The detenu has been detained by the second respondent by Detention Order in S.R No.07/S.O/2025 dated 06.02.2025 holding him to be a 'Sexual Offender', as contemplated under Section 2(ggg) of Tamil Nadu Act 14 of 1982. The said order is under challenge in this habeas corpus petition.



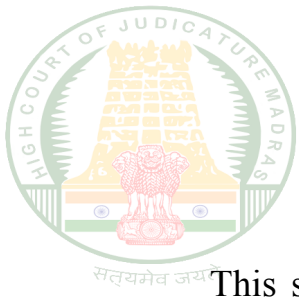
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2. We have heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents. We have also perused the records produced by the Detaining Authority.

3. Though several points have been raised by the learned counsel for the petitioner, it is stated that the detention order is liable to be quashed on the ground on non application of mind. The charge sheet had been filed on 21.01.2025. However, in the detention order, the Detaining Authority had stated as follows:

“The accused was produced in the Fast Track Mahila Court, Ramanathapuram on 04.12.2024 and remanded to judicial custody upto 18.12.2024 and lodged in the District Jail, Ramanathapuram. His remand was extended upto 30.12.2024, 10.01.2025, 24.01.2025 and further extended upto 07.02.2025. The accused filed a bail petition in the Fast Mahila Court, Ramanathapuram vide CrI.M.P.No.158/2025 and it was dismissed on 28.01.2025. Again the accused filed a bail petition in the Fast Mahila Court, Ramanathapuram vide CrI.M.P.No.184/2025 and it is pending in the court. The case is under investigation.”



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This statement obviously shows the non-application of mind, since the investigation has been completed and charge sheet itself had been filed on 21.01.2025, which vitiates the detention order on the ground of non application of mind.

4. The learned Additional Public Prosecutor appearing for the respondents would submit that it is fact the charge sheet had been filed on 21.01.2025.

5. Though the charge sheet itself had been filed on 21.01.2025, in the detention order the Detaining Authority stated that the case is under investigation. It shows non-application of mind. Therefore, we have no hesitation in quashing the order of detention on the ground of non-application of mind on the part of the detaining authority in passing the impugned detention order.

6. In the result, the Habeas Corpus Petition is allowed. The detention order passed in S.R No.07/S.O/2025 dated 06.02.2025, by the 2<sup>nd</sup> respondent, is set aside. Consequently, the detenu viz., Palanimurugan S/o.Andy, aged about 35 years, who is now detained in



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Central Prison, Madurai, is directed to be released forthwith, unless his presence or custody or detention is required in connection with any other case.

**(C.V.K., J.) (R.V., J.)**  
**17.09.2025**

Index : Yes / No  
NCC : Yes / No  
Internet : Yes  
vsm

To

1. The Additional Chief Secretary to Government,  
Home, Prohibition and Excise Department,  
Fort St. George,  
Chennai 600009.
2. The District Collector and District Magistrate,  
Ramanathapuram District.  
Ramanathapuram.
3. The Superintendent of Prison,  
Central Prison, Madurai.
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5. The Inspector of Police,  
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Ramanathapuram District.
6. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



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**C.V.KARTHIKEYAN, J.**  
**and**  
**R.VIJAYAKUMAR, J.**

vsm

**ORDER MADE IN**  
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