



H.C.P.(MD)No.409 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.12.2025

CORAM:

THE HONOURABLE MR JUSTICE G.K. ILANTHIRAIYAN

AND

THE HONOURABLE MS.JUSTICE R. POORNIMA

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Marikannu

... Petitioner/
Mother of the Detenu

-VS-

1.State of Tamilnadu,

Rep. by the Additional Chief Secretary to Government,
Home, Prohibition and Excise (XIV) Department,
Secretariat, Chennai - 600 009.

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

3.The Superintendent of Prison,
Central Prison,
Tiruchirappalli.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India
praying to issue a Writ of Habeas Corpus, calling for the records
pertaining to the impugned detention order passed by the second



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respondent made in his proceedings in P.D.O.No.09/2025 dated 03.03.2025 in detaining the detenu under Section 2(e) of the Tamilnadu Act 14 of 1982 as a Drug Offender and quash the same and direct the respondents to produce the detenu namely Mathi, son of Chinnapayal, Male, aged about 35 years, who is detained in Central Prison, Tiruchirappalli before this Court and set him at liberty.

For Petitioner : Mr.K.M.Karunakaran

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

ORDER

(Order of the Court was made by **G.K. ILANTHIRAIYAN,J.**)

The petitioner is the mother of the detenu viz., Mathi, son of Chinnapayal, aged about 35 years. The detenu has been detained by the second respondent by his order in P.D.O.No.09/2025, dated 03.03.2025 holding him to be a "Drug Offender", as contemplated under Section 2(e) of Tamil Nadu Act 14 of 1982. The said order is under challenge in this habeas corpus petition.

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



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

3. The learned counsel appearing for the petitioner raised the grounds that the detenu was arrested and remanded to judicial custody on 18.02.2025 and he was detained on 03.03.2025. The order of detention was not sent to the Government forthwith from the date of order of detention. He further submitted that the detaining authority had shown only one adverse case and one ground case. Further, there was a delay in considering the representation.

4. On a perusal of the counter affidavit filed by the respondents and also the submission made by the learned Additional Public Prosecutor reveals that the order of detention was passed on 03.03.2025 and the same was sent to the Government by special messenger on 06.03.2025, thereafter it was received on 07.03.2025. After receipt of the detention order, it was duly approved by the Government on 14.03.2025. The representation on behalf of the detenu was received on 04.04.2025 and the same was rejected on 08.04.2025



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and thereafter, it was duly served to the detenu on 11.04.2025. There is absolutely no delay in considering the representation submitted by the petitioner. It is seen from the records that the order of detention is also sent to the Government within a reasonable time of two days. Hence, this Court finds no ground to interfere with the order of detention passed by the second respondent and there is no illegality or irregularity in the detention order.

5. Accordingly, this habeas corpus petition is dismissed.

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

10.12.2025

am

NCC :Yes/No

Index: Yes/No

Internet: Yes/No



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- To
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 - 2.The District Magistrate and District Collector,
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 - 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
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G.K. ILANTHIRAIYAN,J.
AND
R. POORNIMA,J.

am

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