



H.C.P.(MD)No.734 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.12.2025

CORAM:

**THE HONOURABLE MR JUSTICE G.K. ILANTHIRAIYAN
AND
THE HONOURABLE MS.JUSTICE R. POORNIMA**

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P.Suriya Prakash

... Petitioner

-VS-

1.State of Tamil Nadu

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

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

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

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India
praying to issue a Writ of Habeas Corpus, calling for the entire records
connected with the detention order passed in Detention Order No.

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23/2025 dated 10.04.2025, on the file of the second respondent herein and quash the same and direct the respondents to produce the detenu or body of the detenu namely Rinithkumar @ Vinithkumar, aged about 24 years, S/o.Palanisamy, now detained at the Central Prison, Madurai before this Court and set him at liberty forthwith.

For Petitioner : Mr.N.Pragalathan
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 brother of the detenu viz.,Rinithkumar @ Vinithkumar, son of Palanisamy, aged about 24 years. The detenu has been detained by the second respondent by his order in Detention Order No.23/2025, dated 10.04.2025 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.

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.



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3. The learned counsel for the petitioner submitted that there was a delay in considering the representation submitted by the petitioner dated 17.06.2025. He further submitted that in the grounds of detention the detaining authority has stated that the detenu committed heinous crime, coerced many victim minor girls to engage in unlawful sexual activity, had penetrative sexual assault, committed an act of savagery and created ill feeling among the public in that area and also instilled a sense of fear and a feeling of insecurity among the minds of the general public as such he is a “Sexual Offender”. Further, the petitioner was arrested and remanded to judicial custody based on the ground case in Cr.No.8 of 2025 registered for the offences punishable under Sections 5(1), 5(j)(ii) r/w 6 of Prevention of Children from Sexual Offences Act, 2012. Except the ground case, no other adverse case is pending as against the detenu.

4. On a perusal of the counter affidavit filed by the respondents and the submission made by the learned Additional Public Prosecutor appearing for the respondents reveals that the petitioner has submitted a representation on 17.06.2025 and it was received by the



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authorities on 23.06.2025 and thereafter, it was rejected on 25.06.2025 and was duly served on the detenu on 28.06.2025. Though the detenu involved only one case, he committed heinous crime as against the minor victim girl, aged about 14 years and she also gave birth a child. The detenu is a married person and he has also one child when his first marriage is very much existing, he committed the sexual offence as against the minor girl. Therefore, in the grounds of detention, the detaining authority stated about the nature of offence.

5. In view of the above, we find no infirmity or illegality in the order passed by the detaining authority and it is liable to be dismissed. Accordingly, this habeas corpus petition is dismissed.

[G.K.I., J.]

[R.P., J.]

04.12.2025

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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Dindigul.
- 3.The Superintendent of Prison,
Central Prison,
Madurai.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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

am

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