



HCP(MD)No.790 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated: 03/12/2025

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

HCP(MD)No.790 of 2025

M.Flora Margret Siluvai Rani : Petitioner/Mother of the detenu

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 Collector and District Magistrate,
Thoothukudi District, Thoothukudi.
- 3.The Superintendent of Prison,
Central Prison, Palayamkottai,
Tirunelveli.

: Respondents

Prayer:- This Habeas Corpus Petition is filed under Article 226 of the Constitution of India, to call for the entire records connected with the detention order passed in H.S(M)Confdl. No.22/2025, dated 10/03/2025 on the file of the 2nd respondent herein and quash the same and direct the respondents to produce the detenu or body of the detenu namely the petitioner's son i.e., Kingston Jeyasingh @ Vadai, aged about 23 years, S/o.Mariya Joseph, now detained at the Central Prison, Palayamkottai, before this Court and set him at liberty forthwith and pass such other and further orders.



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For Petitioner : Mr.N.Pragalathan
For Respondents : Mr.T.Senthil Kumar
Additional Public Prosecutor

ORDER

(Order of the Court was made by the Hon'ble **G.K.ILANTHIRAIYAN.J.**)

The petitioner is the mother of the detenu viz, Kingston Jeyasingh @ Vadai, aged about 23 years. The detenu has been detained by the second respondent by his order in H.S(M) Confdl.No.22/2025, dated 10/03/2025 holding him to be a “Goonda” as contemplated under Section 2(f) of the 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.

3.The detenu was arrested on 09/02/2025 and remanded to judicial custody pursuant to the registration of the FIR in Crime No.29 of 2025



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for the offences under Sections 191(2), 191(3), 296(b), 103, 127(2), 351(3), 3(5) of BNS, 2023 on the file of the Sathankulam Police Station. Thereafter, the Investigating Officer submitted a recommendation to detain the detenu under Act 14, since the detenu is a history sheeter. On perusal of the records, the Detaining Authority passed the detention order, on 10/03/2025.

4.The learned Counsel for the petitioner raised the following grounds viz., the Detaining Authority failed to state any satisfaction by referring any counter case to detain the detenu under Act, 14. In support of his contention, he has placed reliance upon the judgment of this Court rendered in the case of *Angammal Vs. The State and others* (HCP(MD)No.673 of 2025, dated 04/11/2025). He also raised another ground that the detenu was not served with remand extension order copy and therefore, he could not able to make effective representation to reconsider the order of detention.

5.Perusal of the counter affidavit by the second respondent and also the submissions made by the learned Additional Public Prosecutor would reveal that in the order of remand, the Investigating Officer has



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categorically stated the previous cases, in which the detenu involved and also the detenu is a history sheeter and involved in Crime No.2 of 2017 for the offences under Sections 34, 380 and 457 IPC; Crime No.214 of 2018 for the offences under Sections 109, 114, 120(B), 147, 148, 149, 302, 34 IPC; Crime No.101 of 2021 for the offences under Sections 27(1) ARMS Act, 336, 34 IPC and in Crime No.29 of 2025 for the offences under Sections 103, 127(2), 191(2), 191(3), 296(b), 3(5), 351(3) BNS on the file of the Sathankulam Police Station, Tuticorin District. Therefore, there is a link between the ground case and other cases. To satisfy the same, the Detaining Authority has pass the detention order. Therefore, the Detaining Authority found that the detenu is acting prejudicial to the maintenance of public order and detained him under Act, 14. Therefore, the judgment relied on by the learned counsel for the petitioner is not applicable to the present case.

6.In so far as non-furnishing of the remand extension order copy is concerned, admittedly the detenu's remand was extended, by order, dated 20/02/2025, 06/03/2025 and finally on 20/03/2025. Therefore non-furnishing of the remand extension order copy cannot be prejudiced to the detenu while making representation to reconsider the order of



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detention. This Court does not find any infirmity or illegality in the impugned order of detention passed by the Detaining Authority.

7.In the result, this Habeas Corpus Petition is **dismissed**.

(G.K.I., J.) (R.P., J.)
03-12-2025

Index:Yes/No
Internet:Yes/No
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G.K.ILANTHIRAIYAN,J
and
R.POORNIMA,J

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To,

- 1.The Additional Chief Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat,
Chennai-600 009.
- 2.The District Collector and District Magistrate,
Thoothukudi District,
Thoothukudi.
- 3.The Superintendent of Prison,
Central Prison,
Palayamkottai,
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- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai..

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