



H.C.P.(MD) No.803 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.11.2025

CORAM:

**THE HONOURABLE MR.JUSTICE C.V. KARTHIKEYAN
AND
THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR**

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Anandakumar

... Petitioner

Vs

1.State of Tamilnadu,
Rep. by the Additional Chief Secretary to Government,
State of Tamilnadu
Home, Prohibition and Excise Department,
Fort St. George, Chennai 9..

2. The District Magistrate And District Collector,,
Office of the District Magistrate and District Collector
Dindigul District, Dindigul.

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

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus to call for the entire records connected with the detention order of the respondent No.2 in Detention order No.17/2025 dated 09.03.2025 and quash the same and direct the respondents to produce the detenu by name Anandakumar son of late Kannaiyan, aged



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about 41 years now confining at Madurai Central Prison, before this court and set him at liberty forthwith.

For Petitioner : Mr.R.Alagumani

For Respondents : Mr.A.Thiruvadi Kumar

Additional Public Prosecutor

ORDER

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

The petitioner is the detenu Anandakumar aged about 41 years. The detenu has been detained by the second respondent vide his order dated 09.03.2025 in Detention Order No.17/2025 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 main ground raised by the learned counsel for the petitioner is with respect to paragraph No.4 of the detention order, which is as



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follows:

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“4.Hence, I am satisfied that Anandakumar had committed the above said heinous crime in public area and in broad day light and acted in a manner prejudicial to the maintenance of public order and as such, he is a Goonda as contemplated under section 2(f) of the Tamil Nadu Act 14 of 1982. By committing the above said crime in public place, he had created an alarm and instilled a feeling of insecurity among the minds of the general public and thereby acted in a manner prejudicial to the maintenance of public order.”

4. It is seen that the offence had taken place inside Room No.5 in a lodge and not in a public place. There was also no general public near either outside the room or anywhere there. The de-facto complainant saw the dead body and then ran out and thereafter lodged the complaint. By no stretch of imagination could this have created an alarm or created insecurity among the minds of the general public. It cannot be said to have been prejudicial to the maintenance of public order. Since extraneous materials have been considered to the imagination of the detaining authority, we are inclined to quash the detention order.



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5. In the result, the Habeas Corpus Petition is allowed and the order of detention in Detention order No.17/2025 dated 09.03.2025 passed by the second respondent is set aside. The detenu, Anandakumar S/o.Kannaiyan, aged 41 years, is directed to be released forthwith unless his detention is required in connection with any other case.

[C.V.K., J.] [R.V., J.]

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NCC : Yes / No

Index : Yes / No

RR

To:

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2. The District Magistrate And District Collector,,
Office of the District Magistrate and District Collector
Dindigul District, Dindigul.

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

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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AND
R.VIJAYAKUMAR, J.

RR

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