



H.C.P(MD)No.825 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.12.2025

CORAM:

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

H.C.P(MD)No.825 of 2025

V.Arumugakani

... Petitioner/wife of the detenu

Vs.

1.The State of Tamil Nadu,
Rep. by the Additional Chief Secretary to the Government,
Home, Prohibition and Excise Department,
Secretariat,
Chennai - 9.

2.The Commissioner of Police,
Tirunelveli City,
Tirunelveli.

3.The Superintendent of Prison,
Central Prison,
Palayamkottai,
Tirunelveli.

... Respondents



H.C.P(MD)No.825 of 2025

WEB COPY

PRAYER:- Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, calling for the entire records connected with the detention order passed in No.39/BCDFGISSSV/2025 dated 25.04.2025 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 husband i.e., Valathi, aged about 26 years, S/o.Sundaram, now detained at the Central Prison, Palayamkottai, 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 wife of the detenu viz., Valathi, S/o.Sundaram, aged about 26 years. The detenu was detained by the second respondent by order in No.39/BCDFGISSSV/2025 dated 25.04.2025, holding him to be a “Goonda”, as contemplated under



H.C.P(MD)No.825 of 2025

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 petitioner was arrested in the ground case which was registered in Crime No.115 of 2025 for offence under Sections 296(b), 309(4), 351(2) BNS, 2023 on 10.04.2025 and remanded to judicial custody. Since the petitioner involved in two other adverse cases, the investigation officer sponsor the detenu's name for passing detention order. After considering the report the detaining authority detained the detenu under Act 14 of 1982.

4. The learned counsel for the petitioner submits that there was a delay in considering the representation submitted by the detenu.



H.C.P(MD)No.825 of 2025

WEB COPY

5. On perusal of the counter and also the submission made by the learned Additional Public Prosecutor reveal that the representation of the petitioner dated 07.07.2025 was duly received by the detaining authority on 14.07.2025 and the same was rejected on 16.07.2025. It was duty served on the detenu on the very same day. Therefore, there was no delay in considering the representation submitted by the detenu and hence, this Court find no ground to interfere with the order of detention passed by the second respondent.

6. In the result, the Habeus Corpus Petition stands dismissed.

[G.K.I.J.,] & [R.P.J.,]
02.12.2025

NCC :Yes/No
Index :Yes/No
Internet :Yes
rm



H.C.P(MD)No.825 of 2025

To

WEB COPY

1.The State of Tamil Nadu,
Rep. by the Additional Chief Secretary to the Government,
Home, Prohibition and Excise Department,
Secretariat,
Chennai - 9.

2.The Commissioner of Police,
Tirunelveli City,
Tirunelveli.

3.The Superintendent of Prison,
Central Prison,
Palayamkottai,
Tirunelveli.

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



WEB COPY



H.C.P(MD)No.825 of 2025

G.K. ILANTHIRAIYAN, J.

AND

R. POORNIMA, J.

rm

H.C.P(MD)No.825 of 2025

02.12.2025