



HCP(MD)No.882 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated: 08/12/2025

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

HCP(MD)No.882 of 2025

Ayyappan @ Dhanam

: Petitioner/Detenu

Vs.

- 1.The State of Tamil Nadu,
Rep. by Additional Chief Secretary to Government,
Home, Prohibition and Excise [XIV] Department,
Fort St. George, Chennai-9.
- 2.The District Magistrate and District Collector,
Pudukkottai District,
Pudukkottai.
- 3.The Superintendent of Prison,
Central Prison,
Trichy.
- 4.The Inspector of Police,
Malaiyur Police Station,
Malaiyur,
Pudukkottai District.

: Respondents

Prayer:- This Habeas Corpus Petition is filed under Article 226 of the Constitution of India, calling for the records relating to the Detention Order passed by the 2nd respondent in Detention Order on 26/04/2025 in Detention Order in P.D.O.No.16/2025 and to quash the same and direct



HCP(MD)No.882 of 2025

the respondents to produce the body of the detenu namely Ayyappan @ Dhanam, S/o.Sakthivel, aged about 21 years, before this Court and set him at liberty, now detained at Central Prison, Trichy and pass such other or other orders.

For Petitioner : Mrs.S.Prabha
for Mr.D.Ramesh Kumar

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 detenu, aged about 21 years. The detenu has been detained by the second respondent by his order in P.D.O. No.16/2025, dated 26/04/2025 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.



HCP(MD)No.882 of 2025

3.The detenu was arrested in pursuant to the registration of the FIR in Crime No.46 of 2025, dated 04/04/2025 for the offences under Sections 126(2), 296(b), 49, 103(1) BNS 2023 on the file of the Malaiyur Police Station and remanded to judicial custody on 05/04/2025. Thereafter, the Investigating Officer recommended the detenu/accused for detaining him under Act 14 of 1982 and accordingly, the Detaining Authority detained the detenu under Act 14 of 1982, by the impugned order, dated 26/04/2025.

4.It is seen from the records that except this case, no other case is pending against the petitioner. Apart from that, the petitioner was not served the legible copy of page 27-A in the booklet and therefore, the petitioner could not able to submit the effective representation to reconsider the order of detention and it also caused serious prejudice to the petitioner. On that sole ground, the detention order cannot be sustained and the same is liable to be quashed.

5.In the result, the Habeas Corpus Petition is **allowed** and the order of detention passed in PDO No.16/2025, dated 26/04/2025 by the second



HCP(MD)No.882 of 2025

respondent is set aside. The petitioner is directed to be released forthwith

unless his detention is required in connection with any other case.

(G.K.I., J.) (R.P., J.)
08-12-2025

Index: Yes/No
Internet: Yes/No
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HCP(MD)No.882 of 2025

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

er

To,

- 1.The Additional Chief Secretary to Government,
Home, Prohibition and Excise [XIV] Department,
Fort St. George, Chennai-9.
- 2.The District Magistrate and District Collector,
Pudukkottai District,
Pudukkottai.
- 3.The Superintendent of Prison,
Central Prison,
Trichy.
- 4.The Inspector of Police,
Malaiyur Police Station,
Malaiyur,
Pudukkottai District.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

HCP(MD) No.882 of 2025

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