



H.C.P(MD)No.878 of 2025

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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.878 of 2025

M.Karpagam

... Petitioner/mother 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 District Collector/District Magistrate,
Maruthupandiyar Nagar,
Sivagangai District.

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

4.The Inspector of Police,
Sivagangai Taluk Police Station,
Sivagangai District.
(Crime no.87 of 2025)

... Respondents



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PRAYER:- Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, calling for the records pertaining to the impugned detention order issued by the 2nd respondent in his proceedings in detention order No.Cr.M.P.No.42/D.O/2025 dated 20.04.2025 in detaining the detenu U/s.3(2) of the Tamil Nadu Act 14 of 1982 as a Drug Offender at the Central Prison, Madurai and thereby, to quash the same and direct the respondents to produce the detenu namely, Karthickraja, aged about 27 years, S/o.Muthaiah, who is now detained at the Central Prison, Madurai, before this Court and set him at liberty forthwith.

For Petitioner : Mr.K.Vignesh

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 mother of the detenu viz., Karthickraja, S/o.Muthaiah, aged about 27 years. The detenu was detained by the second respondent by order in No.Cr.M.P.No.42/D.O/2025 dated 20.04.2025, holding him to be a “Drug Offender”, as contemplated under Section 2(e) of the Tamil Nadu Act 14 of 1982. The said order is under challenge in this Habeas Corpus Petition.



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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 and remanded to judicial custody on 27.03.2025 in the ground case. Therefore, the sponsoring authority sponsor the detenu's name for passing the detention order. After considering the report, the detaining authority detained the detenu under Act 14 of 1982.

4. It has been challenged on the ground that the representation submitted by the detenu was not considered in time and as such it caused prejudice to the detenu. Page No.9 of the booklet is not readable and as such it also caused prejudice to the detenu. Therefore, the detenu is not able to submit an effective representation. The petitioner was arrested on 27.03.2025 and only after a period of 27 days the order of detention was passed by the detaining authority, there was a huge delay.



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5. On perusal of the counter and also the submission made by the learned Additional Public Prosecutor reveal that there was only 27 days delay in passing the detention order and it cannot be said inordinate delay. After explanation of remand the sponsoring authority send the details of the detenu for considering under Act 14 of 1982. Thereafter, the detaining authority considered the materials supplied by the sponsoring authority and passed the detention order.

6. Insofar as representation dated 15.07.2025 is concerned, it was received by the detaining authority on 17.07.2025 and the same was rejected on 21.07.2025. Thereafter, it was duly served on the detenu. Insofar as the legible copy of confession statement in Page Nos.9 and 11 are concerned, this Court can able to read those documents easily and it is legible one. Therefore, no prejudice caused to the detenu and this Court find no ground to interfere with the order of detention passed by the second respondent.



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7. 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

To

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

2.The District Collector/District Magistrate,
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Sivagangai District.

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

4.The Inspector of Police,
Sivagangai Taluk Police Station,
Sivagangai District.

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

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AND

R. POORNIMA, J.

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