



H.C.P(MD)No.911 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.911 of 2025

Rajamani Sunitha

... Petitioner/wife of the detenu

Vs.

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

2.The District Collector and District Magistrate,
Kanniyakumari District,
at Nagercoil.

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

... Respondents

PRAYER:- Petition filed under Article 226 of the Constitution of India,
to issue a Writ of Habeas Corpus, calling for the entire records relating to

1/7



H.C.P(MD)No.911 of 2025

the impugned order of detention made in P.D.No.10/2025 dated 21.04.2025 on the file of the The District Collector and District Magistrate, Kanniyakumari District, the 2nd respondent herein branding the petitioner's husband/ detenu name Nanjil B.E.Jeyakumar, S/o.Eprahim, aged about 48 years, who is now confined in Central Prison, Palayamkottai, Tirunelveli District and quash the impugned order of detention and set him at liberty by producing him before this Court.

For Petitioner : Mr.P.Selva Kumar

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., Nanjil B.E.Jeyakumar, S/o.Eprahim, aged about 48 years. The detenu was detained by the second respondent by order in P.D.No.10/2025 dated 21.04.2025, holding him to be a “Cyber Law”, as contemplated under



H.C.P(MD)No.911 of 2025

Section 2(bb) 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 and remanded to judicial custody in the ground case registered in Crime No.11 of 2025 on the file of the Inspector of Police, Cyber Crime Division-III, Kanyakumari District for offence under Sections 296(b), 7(g)(1)(ii), 79, 351(2) BNS, 2023 and Section 66E of Information Technology Act, 2008 and Section 4 of Tamil Nadu Prohibition of Harassment of Woman Act, 2002 on 26.03.2025 and thereafter the petitioner was detained under Act 14 of 1982.

4. The learned counsel for the petitioner submits that the detaining authority relied upon the similar case which was registered



H.C.P(MD)No.911 of 2025

under Information Technology Act, though the detenu was not arrested for any offence under Information Technology Act. Therefore, it shows non-application of mind on the part of the detaining authority. Further in some of the pages where the detaining authority relied upon the documents are not legible. Therefore, the detenu would not be able to make effective representation.

5. On perusal of records reveal that the petitioner already involved in Crime No.15 of 2024 for offence punishable under Sections 294(b), 354, 354(A), 506(i) IPC, Section 4 of Tamil Nadu Prohibition of Harassment of Woman Act, 2002 and Section 67 of Information Technology Act, 2000. On perusal of both FIR, the detenu is a habitual offender by committing similar crime against women. Therefore, the sponsoring authority rightly relied upon the similarly placed accused who is facing charge under Information Technology Act and he was granted bail. Therefore, there is a possibility of the detenu to come out on bail. Hence the detaining authority rightly detained the detenu under Act 14 of 1982.



H.C.P(MD)No.911 of 2025

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6. Insofar as the pages relied upon by the learned counsel for the petitioner are not legible is concerned, on perusal of those pages in the booklet are very easily readable by this Court and are legible. Therefore, absolutely no prejudice caused to the detenu and there is no question of non-application of mind. Therefore, this Court finds no infirmity or illegality in the order passed by the second respondent.

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
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