



H.C.P.(MD)No.973 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.12.2025

CORAM:

THE HONOURABLE MR JUSTICE G.K. ILANTHIRAIYAN

AND

THE HONOURABLE MS.JUSTICE R. POORNIMA

H.C.P.(MD)No.973 of 2025

M.Maheswari

... Petitioner

-VS-

1.State of Tamil Nadu

Rep. by the Additional Chief Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat, Chennai-600 009.

2.The District Collector and District Magistrate,

Thoothukudi District,
Thoothukudi.

3.The Superintendent of Prison,

Central Prison,
Palayamkottai,
Tirunelveli.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India
praying to issue a Writ of Habeas Corpus, calling for the entire records
connected with the detention order passed in H.S(M)Confdl.No.32 of



H.C.P.(MD)No.973 of 2025

2025, dated 04.04.2025 on the file of the second respondent herein and quash the same and direct the respondent to produce the detenu or body of the detenu namely the petitioner's husband i.e., Maheshkannan @ Knnan, aged about 28 years, S/o.Ammasi, 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., Maheshkannan @ Kannan, son of Ammasi, aged about 28 years. The detenu has been detained by the second respondent by his order in H.S(M).Confdl.No. 32/2025, dated 04.04.2025 holding him to be a "Goonda", as contemplated under Section 2(f) of 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.



H.C.P.(MD)No.973 of 2025

WEB COPY

3. The learned counsel appearing for the petitioner submitted that the detenu was detained under Goondas vide detention order dated 04.04.2025 and the detenu was arrested and remanded to judicial custody on 06.03.2025 in pursuant to the registration of the FIR in Cr.No.46 of 2025. Hence, there was a delay of 31 days in passing the detention order. He further submitted that though the detaining authority relied upon the remand extension order upto 04.04.2025, the detenu was not served with the remand extension order. In fact, the petitioner submitted a representation and specifically seeking the to serve the remand extension order, the same was not served to the detenu.

4. On a perusal of the counter affidavit filed by the respondents and the submission made by the learned Additional Public Prosecutor appearing for the respondents reveals that the detenu was detained under Act 14 of 1982 based on the ground case. Insofar as the ground case is concerned, the detenu murdered two persons that too, for gain. Further, the detenu, very well knows about his remand extension and the remand extension particulars duly served on the detenu. Though



H.C.P.(MD)No.973 of 2025

the detenu was not served with the remand extension order, it cannot be state that the detenu was prejudiced while submitting the representation for reconsidering the order of the detention. Therefore, both the grounds raised by the detenu cannot be countenanced and this Court finds no infirmity or illegality in the order of detention and hence, it is liable to be dismissed.

5. Accordingly, the habeas corpus petition is dismissed.

[G.K.I., J.] [R.P., J.]
04.12.2025

am
NCC :Yes/No
Index: Yes/No
Internet: Yes/No



H.C.P.(MD)No.973 of 2025

WEB COPY

To

- 1.The Additional Chief Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat, Chennai-600 009.
- 2.The District Collector and District Magistrate,
Thoothukudi District,
Thoothukudi.
- 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.973 of 2025

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

am

H.C.P.(MD)No.973 of 2025

04.12.2025