



H.C.P.(MD)No.1015 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :17.12.2025

CORAM:

THE HONOURABLE MR JUSTICE G.K. ILANTHIRAIYAN

AND

THE HONOURABLE MS.JUSTICE R. POORNIMA

H.C.P.(MD)No.1015 of 2025

Palanivel

... Petitioner

-VS-

1.The Additional Chief Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat
Chennai-600 009.

2.The District Magistrate and District Collector
Karur District
Karur

3.The Superintendent of Prison,
Central Prison, Tiruchirapalli

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus, directing the respondents to produce the body of detenu namely Jayasurya, S/o.Palanivel aged about 20 years before this Court who is now detained in the Central Prison,



H.C.P.(MD)No.1015 of 2025

Tiruchirapalli in pursuant to the detention order passed by the second respondent in Cr.MP No. 20 of 2025 dated 05.05.2025 to call for the records and quash the same and release the detenu at liberty forthwith

For Petitioner : Mr.S.Muthukrishnan

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 father of the detenu viz., Jayasurya, S/o.Palanivel aged about 20 years . The detenu has been detained by the second respondent by his order in Cr.M.P.No.20 of 2025, dated 05.05.2025 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.1015 of 2025

WEB COPY

3. The learned counsel appearing for the petitioner raised a ground that the detenu was arrested and remanded to judicial custody on 08.04.2025 in pursuance to the registration of the First Information Report in Crime No. 36 of 2025 for the offences under Sections 311 of BNS. The detenu was detained by and detention order dated 05.05.2025. The detention order and other documents were sent by the detaining authority to the Government on 09.05.2025 and as such there was a delay of four days in sending the order of detention. In this regard, he relied on Section 3(3) of the Tamil Nadu Goondas Act, 14 of 1982. Accordingly, the detaining authority has to send the order of detention for approval to the government forthwith.

4. It is relevant to extract the Section 3(3) of the Tamil Nadu Act 14 of 1982:-

“3(3) When any order is made under this section by an officer mentioned in sub-section (2), he shall forthwith report the fact to the State Government together



H.C.P.(MD)No.1015 of 2025

S/o.Palanivel aged about 20 years , is directed to be released forthwith unless his detention is required in connection with any other case.

[G.K.I., J.] [R.P., J.]
17.12.2025

NCC :Yes/No
Index: Yes/No
Internet: Yes/No
aav

To

- 1.The Additional Chief Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat
Chennai-600 009.
- 2.The District Magistrate and District Collector
Karur District
Karur
- 3.The Superintendent of Prison,
Central Prison, Tiruchirapalli
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



WEB COPY



H.C.P.(MD)No.1015 of 2025

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

aav

H.C.P.(MD)No.1015 of 2025

17.12.2025