



HCP(MD)No.995 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated: 12/12/2025

CORAM

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

HCP(MD)No.995 of 2025

Valambal

: Petitioner/
Mother of the Detenu

Vs.

- 1.The State of Tamil Nadu
rep. by Principal Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat, Fort St. George,
Chennai-600 009.
- 2.The Commissioner of Police,
City Police Office, Tiruchirappalli-620 020.
- 3.The Superintendent of Prison,
Central Prison, Tiruchirappalli-620 020. : Respondents

Prayer:- This Habeas Corpus Petition is filed under Article 226 of the Constitution of India, calling for records in connection with Detention Order passed by the 2nd respondent, vide her proceedings in C.No. 48/Detention/C.P.O/TC/2025, dated 30/04/2025 and quash the same as illegal and void and direct the respondents to produce the body or person of Detenu Sathyendran, S/o.Perumal, aged 28 years, who has been termed as 'GOONDA' and now confirmed in Central Prison, Trichy, before this Court and set him at liberty and pass such further or other orders.



HCP(MD)No.995 of 2025

For Petitioner : Mr.C.Karthikeyan
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 mother of the detenu. The detenu has been detained by the second respondent by her proceedings in C.No.48/Detention/C.P.O/TC/2025, dated 30/04/2025 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.

3.The detenu was arrested on 13/04/2025 and remanded to judicial custody in pursuant to the registration of the FIR in Crime No.101 of 2025 on the file of the Ariyamangalam Police Station, Trichy City, for



HCP(MD)No.995 of 2025

the offences punishable under Sections 296(b), 118(1) and 109 of BNS, 2023. 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 30/04/2025. Further, the Detention Order along with grounds were not sent to the State Government for approval immediately. It is a clear violation of the provisions contemplated under Section 3(3) of the of the Tamil Nadu Prevention of Dangerous Activities of Bootleggers, Cyber Law Offenders, Drug Offenders, Forest Offenders, Goondas, Immoral Traffic Offenders, Sand Offenders, Sexual Offenders, Slum-grabbers and Video Pirates Act, 1982.

4.Perusal of the counter filed by the 2nd respondent and on the submissions of the learned Additional Public Prosecution reveals that the order of detention was passed on 30/04/2025. It was sent to the Government for approval, on 05/05/2025, since on 01/05/2025, 03/05/2025 and 04/05/2025 were holidays. So, there was no delay in sending the order of detention to the State Government for approval. However, in page 14 of the booklet, which is the the Accident Register copy of the injured was in the form of English and the detenu was not



HCP(MD)No.995 of 2025

furnished with translated copy of the Accident Register in Tamil version.

It caused prejudice to the detenu while making representation effectively to reconsider the order of detention. That apart, except the ground case, there was no solidarity instance against the detenu.

5.Considering the above, this Court finds that the detention order passed by the Detaining Authority cannot be sustained in law and the same is liable to be quashed.

6.In the result, the Habeas Corpus Petition is **allowed** and the order of detention passed in C.No.48/Detention/CPO.TC/2025, dated 30/04/2025 by the second respondent is set aside. The detenu namely Sathyendran, S/o.Perumal, aged about 28 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.)
12-12-2025

Index:Yes/No
Internet:Yes/No
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HCP(MD)No.995 of 2025

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

er

To,

- 1.The Additional Chief Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat, Chennai-9.
- 2.The Commissioner of Police,
City Police Office,
Tiruchirappalli-620 020.
- 3.The Superintendent of Prison,
Central Prison,
Trichy.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

HCP(MD) No.995 of 2025

12/12/2025