

CrI.M.P(MD)No.11971 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.09.2025

CORAM:

**THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN
and
THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR**

**CrI.M.P(MD)No.11971 of 2025
in
H.C.P.(MD) No.507 of 2025**

Madumitha

... Petitioner

Vs

1.State of Tamil Nadu

Rep by its the Principal Secretary to Government,
Home, Prohibition and Excise Department,
Fort St. George,
Chennai-600 009.

2.The Commissioner of Police,

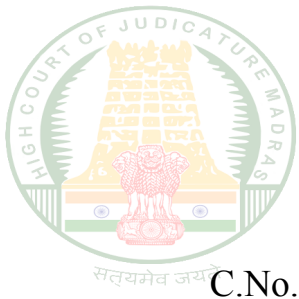
Office of the Commissioner of Police,
Tiruchirappalli City.

3.The Superintendent of Prison,

Trichy Central Prison,
Trichy District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, direct the respondents to temporarily release the detenu by name Sabari, son of Ashokkumar 34 years, now detained as Drug Offender at Trichy Central Prison under preventive detention by the order passed by the respondent No.2 vide his order in



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C.No.38/Detention/C.P.O/TC/2025 dated 30.03.2025 under Section 3(1) of Act 14 of 1982 for 30 days to take care of detenu's pregnant wife by name Madhumitha wife of Sabari, who is at high risk pregnancy.

For Petitioner : Dr.R.Alagumani

For Respondents: Mr.A.Thiruvadi Kumar

Additional Public Prosecutor

ORDER

(Order of the Court was made by C.V.KARTHIKEYAN,J.)

This petition has been filed taking advantage of Section 15 of the Tamil Nadu Act 14 of 1982 seeking a direction for interim release of the detenu/husband of the petitioner herein, who has been detained by the detention order dated 30.03.2025.

2. In the affidavit filed in support of the petition, it had been contended that the petitioner had been taking In-Vitro-Fertilization treatment and it had been revealed that the treatment has been successful and that she is pregant with twins. It had been stated that she is in the 14th week of pregnancy and is suffering from some ailment. The detenu is to be with her during this period. Under those circumstances, this petition has been filed.



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3. She had earlier given a representation on 25.08.2025 seeking temporary release of detenu/husband for 30 days to take care of her.

4. Section 15 of the Tamil Nadu Act 14 of 1982 relates to temporary release of persons detained. The authority which could examine whether the detenu could be temporarily release or not is the State Government. The State Government could also specify whether any condition should be imposed or not. The Court can only direct the State Government to consider the representation and pass suitable orders.

5. A direction is given to the first respondent to examine the representation given by the petitioner on 25.08.2025 and pass appropriate orders on or before 07.10.2025.

6. In view of the above direction, this Criminal Miscellaneous Petition stands disposed of.

(C.V.K., J.) (R.V., J.)
23.09.2025

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
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Note: Issue order copy on 23.09.2025



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Home, Prohibition and Excise Department,
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Chennai-600 009.
- 2.The Commissioner of Police,
Office of the Commissioner of Police,
Tiruchirappalli City.
- 3.The Superintendent of Prison,
Trichy Central Prison,
Trichy District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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