



H.C.P(MD)No.1072 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.10.2025

CORAM:

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

H.C.P.(MD) No.1072 of 2025

Mythili

... Petitioner

Vs

1. The State of Tamilnadu, Rep. Its by
The Additional Chief Secretary to Government,
Home, Prohibition and Excise Department,
Fort St.George,
Chennai-600 009.

2. The District Magistrate And District Collector,
Karur District,
Karur.

3. The Superintendent of Prison,
Central Prison,
Tiruchirappalli.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, calling for the records pertaining to the Detention Order passed by the 2nd respondent made in Cr.M.P.No. 05/2025 dated 21.01.2025 under section 2(f) of Tamilnadu Act, 14 of 1982 as a Goonda and quash the same and direct the respondents to



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produce the body or person of detenu namely Boopalan @ Pugazhenth, Son of Gunasekaran, Male aged about 22 years, who is now detained at Central Prison, Tiruchirappalli before this Court and set him at liberty forthwith.

For Petitioner : Mr.A.Vadivel

For Respondents : Mr.A.Thiruvadikumar

Additional Public Prosecutor

ORDER

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

The petitioner is the mother of the detenu viz., Boopalan @ Pugazhenth, S/o.Gunasekaran, aged about 22 years. The detenu has been detained by the second respondent in Cr.M.P.No.05/2025, dated 21.01.2025 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.



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3. Though several points have been raised by the learned counsel for the petitioner, it is stated that the detention order is liable to be quashed on the ground that the remand order of the Judicial Magistrate-I, Kulithalai have been written in free hand, which is indecipherable and cannot be read. Hence, it is submitted that the detenu was deprived of making effective representation.

4. The learned Additional Public Prosecutor appearing for the respondents has opposed this Habeas Corpus Petition by filing counter.

5. On a perusal of the booklet, it is seen that the learned Judicial Magistrate No.I, Kulithalai had remanded the accused by writing down the order in free hand, which is indecipherable and cannot be read and it is not known whether the typed version at page No.91 of the booklet is a proper translation of the remand order. We, therefore, have no hesitation in quashing the impugned detention order.

6. In the result, the Habeas Corpus Petition is allowed. The detention order passed in Cr.M.P.No.05/2025, dated 21.01.2025 by the



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2nd respondent, is set aside. Consequently, the detenu viz., Boopalan @ Pugazhenthii, S/o.Gunasekaran, aged about 22 years, is directed to be released forthwith, unless his presence or custody or detention is required in connection with any other case.

(C.V.K., J.) (R.V., J.)
23.10.2025

Index : Yes / No
NCC : Yes / No
Internet : Yes
vsm



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To

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2. The District Magistrate And District Collector,
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3. The Superintendent of Prison,
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Tiruchirappalli.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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C.V.KARTHIKEYAN, J.
and
R.VIJAYAKUMAR, J.

vsm

ORDER MADE IN
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23.10.2025