



H.C.P.(MD) No.1171 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.11.2025

CORAM:

**THE HONOURABLE MR.JUSTICE C.V. KARTHIKEYAN
AND
THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR**

H.C.P.(MD) No.1171 of 2025

Gayathri

... Petitioner

Vs

1.State of Tamilnadu Rep. by
the Additional Chief Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat, Chennai 9..

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 to call for the records pertaining to the impugned detention order passed by the 2nd respondent made in his proceedings in Cr.M.P.No.14 of 2025 dated 07.04.2025 in detaining the detenu under Section 2(ggg) of the Tamil Nadu Act 14 of 1982 as a Sexual Offender and quash the same and direct the respondents to produce the



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detenu namely Karthikeyan S/o.Sathasivam, male aged about 30 years, who is detained at Central Prison, Tiruchirappalli before this Court and set him at liberty.

For Petitioner : Mr.K.M.Karunakaran

For Respondents : Mr.A.Thiruvadi Kumar

Additional Public Prosecutor

ORDER

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

The petitioner is the wife of the detenu,viz., Karthikeyan aged about 30 years. The detenu has been detained by the second respondent vide his order dated 07.04.2025 in Cr.M.P.No.14 of 2025 holding him to be a "Sexual Offender", as contemplated under Section 2(ggg) 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.



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3. The detention order has been passed on 07.04.2025 categorizing the detenu as Sexual Offender. Consequent to registration of FIR in Crime No.12/2025 by the All Women Police Station at Karur for offences punishable under Sections 87, 109 and 238 of BNS 2023 and Sections 5(m), 5(n), 5(u) read with 6 of POCSO Act 2012.

4. However, the learned counsel for the petitioner had forwarded a copy of the judgment in Spl.S.C.No.26 of 2025 in the Court of Additional Sessions Court/FTMC, Karur dated 03.10.2025, wherein, after trial, a finding had been rendered that the charges are not proved and acquitting the accused of all charges.

5. Under normal criminal procedure, the charges levelled against the detenu had been held to have been not proved, after due trial process, the detention order no longer survive.

6. In the result, the Habeas Corpus Petition is allowed and the order of detention in Cr.M.P.No.14 of 2025 dated 07.04.2025 passed by the second respondent is set aside. The detenu, Karthikeyan S/o.Sathasivam,



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aged 30 years, is directed to be released forthwith unless his detention is required in connection with any other case.

[C.V.K., J.] [R.V., J.]
13.11.2025

NCC : Yes / No
Index : Yes / No
RR

To:

1.The Additional Chief Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat, Chennai 9..

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

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

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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R.VIJAYAKUMAR, J.

RR

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