



H.C.P.(MD)No.1165 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.10.2025

CORAM:

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

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M.Thirunamakani

... Petitioner

-VS-

1.State of Tamil Nadu

Rep.by the Additional Chief Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat, Chennai-600 009.

2.The Commissioner of Police,

Tirunelveli City,
Tirunelveli.

3.The Superintendent of Prison,

Central Prison,
Palayamkottai,
Tirunelveli.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus, calling for the entire records connected with the detention order passed in No.73/BCDFGISSSV/2024 dated 14.11.2024 on the file of the second respondent herein and quash



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the same and direct the respondents to produce the detenu or body of the detenu namely the petitioner's husband i.e., Murugesan, aged about 50 years, S/o.Mayil, now detained at the Central Prison, Palayamkottai, before this Court and set him at liberty forthwith.

For Petitioner : Mr.N.Pragalathan
For Respondents : Mr.A.Thiruvadikumar,
Additional Public Prosecutor

ORDER

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

The petitioner is the wife of the detenu namely Murugesan, S/o.Mayil, aged about 50 years. The detenu had been detained by the second respondent by his order in No.73/BCDFGISSSV/2024, dated 14.11.2024, 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. The learned counsel for the petitioner submitted that the detaining authority in the impugned detention has stated as follows:-

"The above incident wherein a person was murdered over a trivial issue, has created panic and a feeling of insecurity in the minds of the general public."

But, however, no material to substantiate the same by recording the statement of the general public, who atleast heard about the incident and became panic. We find much force in the contention raised by the learned counsel for the petitioner.

4. The learned Additional Public Prosecutor strongly opposed the Habeas Corpus Petition by filing his counter.

5. In view of the above, this court is inclined to accept the contention of the learned counsel for the detinue that no material to substantiate the fact that the incident wherein a person was murdered over a trivial issue, has created panic and a feeling of insecurity in the minds of the general public by recording the statement of the general public, who atleast heard about the incident and became panic. So, the impugned detention order is liable to be quashed.



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6. In the result, the Habeas Corpus Petition is allowed and the order of detention in No.73/BCDFGISSSV/2024, dated 14.11.2024 passed by the second respondent is set aside. The detenu, viz., Murugesan, S/o.Mayil, aged about 50 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.]

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am
NCC :Yes/No
Index: Yes/No



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To

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Secretariat, Chennai-600 009.
- 2.The Commissioner of Police,
Tirunelveli City,
Tirunelveli.
- 3.The Superintendent of Prison,
Central Prison,
Palayamkottai,
Tirunelveli.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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and
R.VIJAYAKUMAR, J.

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