



H.C.P.No.648 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 15.04.2026

CORAM :

THE HONOURABLE DR.JUSTICE ANITA SUMANTH
and
THE HONOURABLE MR.JUSTICE SUNDER MOHAN

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Malla Gounder (aged about 85 years)
S/o. Rama Gounder,
No.89, Kuppadhasan Valavu,
Bodinaickenpatti, Avaniperur (East),
Edappadi Taluk, Salem District – 637 105.

.. Petitioner

VS

- 1.The Superintendent of Police (Salem Rural),
Salem District – 636 002.
- 2.The Inspector of Police,
Idapadi Police Station, Salem District.
- 3.Dheepika
W/o.Tamilarasan, C/o. Veerappan,
Door No.1, Puliamarathukadu,
Uthandipalayam Village, Kanapathipalayam Post,
Modakurichi Taluk, Erode District.
- 4.Senthil Kumar
(Father's name not known)
Dealer – Bharath Petroleum Petrol Bunk
Ganapathipalayam,
Erode-Karur Highway,
Modakurichi Taluk,
Erode District.



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5.Guru Foundation,
35-C, Periyathottam, Semur,
Erode – 638 004.

.. Respondents

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Prayer : Petition filed under Article 226 of the Constitution of India praying to issue a writ of habeas corpus directing 1st and 2nd respondent to produce V.Tamilarasan (32 years), S/o. Veerappan, the grandson of the petitioner, before this Court and set him at liberty.

For Petitioner : Mr.D.Shivakumaran
for Mr.S.Mayilnathan
Mr.G.Satheesh

For Respondents : Mr.R.Muniyapparaj
Additional Public Prosecutor
assisted by
Mr.N.Narkeeran for R1,R2
Mr.A.Parthasarathy for R3
R4 – No appearance

ORDER

(Made by SUNDER MOHAN, J.)

The grandfather of one V.Tamilarasan (aged 32 years), has filed this habeas corpus petition alleging that he is in illegal detention in the fifth respondent's home at the instance of fourth respondent with whom, the wife of the detenu, is alleged to be friendly.

2. We had issued notice to respondents and directed the second respondent to produce the detenu.

3. The detenu appeared in person today and stated that he was



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admitted to the fifth respondent's home, which is a De-addiction centre at the instance of his father and his wife / the third respondent herein; and that he was not forced to get himself admitted in the said home. The detenu further states that such an admission was justified, since he was an alcoholic. The detenu further states that he has recovered and is now willing to go with his wife and his father and is not kept in illegal custody.

4. In the earlier order dated 09.04.2026, we had recorded the undertaking of Mr.R.Muniyapparaj, the learned Additional Public Prosecutor, to furnish the guidelines formulated for running De-addiction Centres.

5. Mr.R.Muniyapparaj, the learned Additional Public Prosecutor, today produced the regulations called the Tamil Nadu State Mental Healthcare Minimum Standards for De-addiction Centres Regulations, 2025. Para 3 of the said Regulations deals with the admission procedures and as to when the consent of the person sought to be admitted is required. The same is extracted hereunder for better understanding.

“3. Admissions in a De-addiction Centre should be made by a Registered Medical Practitioner with the consent of the person (Form B) or when the dependence to the substance is severe to the level of impairing the capacity of the person to take treatment decisions, and there is a risk of harm to himself due to continuous and excessive substance use, such person can be admitted under section 89 of the



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Mental Healthcare Act 2017 (Form C). Such admission under sec eighty-nine must be intimated to the Mental Health Review Board.”

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6. Since the Regulations have been notified, it is needless to say that the authorities shall act in accordance with the aforesaid Regulations.

7. In the instant case as observed earlier the detenu had consented for admission in the ‘Home’, run by the fifth respondent at the instance of his father and wife.

8. In view of the statement made by the detenu, we see no reason to issue a writ as prayed for. Hence, we close this petition. No costs.

[A.S.M, J.] [S.M, J.]
15.04.2026

Index:Yes/No
Neutral Citation:Yes/No
ssm

To

- 1.The Superintendent of Police (Salem Rural),
Salem District – 636 002.
- 2.The Inspector of Police,
Idapadi Police Station, Salem District.
- 3.The Public Prosecutor,
High Court, Madras.



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