Order QR

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.10.2026

CORAM

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

AND

THE HON'BLE MR. JUSTICE B.KARTHIKEYAN

HCP.No.1406 of 2026

CNR: {HCMA011807362026}

Geetha

..Petitioner(s)

Vs.

1. State of Tamil Nadu rep. by its,
   The Additional Chief Secretary to Government,
   Home, Prohibition & Excise Department,
   Secretariat, Chennai – 9.

2. The Commissioner of Police,
   Avadi City. Chennai – 54.

3. The Inspector of Police (L & O),
   E-5, Sholavaram Police Station,
   Chennai.

4. The Superintendent,
   Central Prison,
   Puzhal, Chennai.

..Respondent(s)

Prayer: Habeas Corpus Petition filed under Article 226 of the Constitution of India, seeking to issue a Writ of Habeas Corpus, calling for the records of the detention made in Memo No.199/TNPD/APC/2026 dated 03.07.2026 passed by the Commissioner of Police, Avadi City, Chennai – 54, the second respondent herein, set aside the same and to consequently, direct the respondents to produce the detenu before this Court and set the detenu Thiru.Vignesh, S/o. Murugesan, aged 33 years, now confined in the Central Prison, Puzhal II, Chennai and set him at liberty.

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For Petitioner(s) : Mr.R.Balakrishnan

For Respondent(s) : Mr.M.Mohamed Riyaz,
Additional Public Prosecutor

ORDER

(Made by A.D.JAGADISH CHANDIRA, J.)

The petitioner is the wife of the detenu, viz., Vignesh, son of Murugesan, aged about 33 years. The detenu has been detained by the second respondent by his order in No.199/TNPD/APC/2026, dated 03.07.2026, holding him to be a "Goonda" as contemplated under Section 2(f) of the Tamil Nadu Preventive Detention Act,1982 (Tamil Nadu Act 14 of 1982). The said order is under challenge in this habeas corpus petition.

2. Learned counsel for the petitioner submitted that on the first page of the Tamil version of the grounds of the detention order furnished to the detenu, the proceedings number was left blank, due to which the detenu was confused, and thereby, he was prevented from making an effective representation within the stipulated time. Hence, he contended that the subjective satisfaction recorded by the detaining authority, without placing reliance on any supporting material, is a mere *ipse dixit*, and therefore, he prays for setting aside the impugned detention order.

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3. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondents and perused the materials available on record.

4. On a perusal of the materials available on record, it is seen that the proceedings number was left blank on the first page of the Tamil version of the grounds of detention, and this Court is of the view that the furnishing of defective translation copies has defeated the right of the detenu to make an effective representation within the stipulated time. Consequently, the subjective satisfaction arrived at by the detaining authority is rendered a mere *ipse dixit*. Hence, we are of the considered opinion that the impugned detention order is vitiated and is liable to be quashed on this ground alone.

5. In the result, this Habeas Corpus Petition stands **allowed** and the order of detention in No.199/TNPD/APC/2026, dated 03.07.2026, passed by the second respondent, is set aside. The detenu, viz., Vignesh, son of Murugesan, aged about 33 years, is directed to be released forthwith unless his detention is required in connection with any other case.

(A.D.J.C., J.) **(B.K., J.)**
30.10.2026

skt

Neutral Citation: Yes/No

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To:

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

2. The Commissioner of Police,
Avadi City. Chennai – 54.

3. The Inspector of Police (L & O),
E-5, Sholavaram Police Station,
Chennai.

4. The Superintendent,
Central Prison,
Puzhal, Chennai.

5. The Public Prosecutor,
Madras High Court.

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A.D.JAGADISH CHANDIRA, J.
AND
B.KARTHIKEYAN, J.

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