



HCP.No.1686 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.01.2026

CORAM :

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

AND

THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN

H.C.P.No.1686 of 2025

Jenifer

... Petitioner

Vs.

The State Represented by

1. The Secretary to Government,  
Government of Tamil Nadu,  
Home, Prohibition and Excise IX,  
Secretariat, St.George Fort,  
Chennai - 600 009.
2. The District Collector and District Magistrate,  
Tiruvarur District,  
Tiruvarur.
3. The Superintendent of Police,  
Tiruvarur District,  
Tiruvarur.
4. The Inspector of Police,  
Needamangalam Police Station,  
Tiruvarur District.



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5. The Superintendent of Prisons,  
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 of the 2<sup>nd</sup> respondent pertains to T.P.D.A.No. 218 with reference to (Detention Order No.C.O.C.No.10/2025) dated 10.06.2025, setting aside the order of detention passed by the 2<sup>nd</sup> respondent and directing the 2<sup>nd</sup> respondent to produce the detenu by namely Marsal Deransh Raja, S/o.Jobai Thamoss, before this Court, now detained in Central Prison at Tiruchirappalli, setting him at liberty.

For Petitioner : Mr.T.Padmanabhan

For Respondents : Mr.R.Muniyapparaj  
Additional Public Prosecutor  
assisted by Mr.M.Sylvester John

### ORDER

**(Order of the Court was made by P.VELMURUGAN, J.)**

The petitioner, who is the wife of the detenu viz., Marsal Deransh Raja, S/o.Jobai Thamoss, aged about 42 years, confined at Central Prison, Tiruchirappalli, has come forward with this petition challenging the detention order passed by the second respondent dated 10.06.2025



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bearing reference No.C.O.C.No.10 of 2025, slapped on her husband (the detenu), branding him as "Drug Offender" under the Tamil Nadu Prevention of Dangerous Activities of Bootleggers, Cyber Law Offenders, Drug Offenders, Forest Offenders, Goondas, Immoral Traffic Offenders, Sand Offenders, Sexual Offenders, Slum Grabbers and Video Pirates Act, 1982 [Tamil Nadu Act 14 of 1982].

2. Heard the learned counsel for the petitioner, as well as the learned Additional Public Prosecutor appearing for the respondents.

3. Though several grounds are raised in this petition, the learned counsel for the petitioner focused mainly on the ground that the language known to the detenu is Tamil but the Forensic Examination Report translated in Tamil has not been served on the detenu and the same has prevented him from making an effective representation against the detention order. Hence, the impugned order is liable to be set aside.

4. Per contra, learned Additional Public Prosecutor submits that the



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order of detention has been passed on cogent and sufficient materials and the same cannot be interfered with at the instance of the petitioner.

5. A perusal of the booklet would disclose that the translated version of the Forensic Examination Report, which is a vital and relied upon document in cases under the NDPS Act, was not enclosed in the booklet furnished to the detenu. As a result, the detenu has been caused serious prejudice and has been deprived of his constitutional right to make an effective representation for revocation of the detention order. The non-supply of translated version of document/s relied upon by the detaining authority, particularly when the detenu is not conversant with the language in which such documents are authored, amounts to a clear violation of Articles 21 and 22(5) of the Constitution of India and vitiates the detention order. Hence, on this ground, the impugned order of detention is vitiated and is liable to be quashed.

6. In the result, this Habeas Corpus Petition is allowed and the detention order passed by the second respondent dated 10.06.2025 in C.O.C.No.10 of 2025, is hereby set aside. The detenu viz., Marsal



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Deransh Raja, S/o.Jobai Thamoss, male, aged 42 years, is directed to be set at liberty forthwith unless he is required in connection with any other case.

[P.V.,J.] [M.J.R.,J.]

05.01.2026

Index: Yes/No  
Neutral Citation  
Speaking / Non Speaking  
ms

To

1. The Secretary to Government,  
Government of Tamil Nadu,  
Home, Prohibition and Excise IX,  
Secretariat, St.George Fort, Chennai - 600 009.
2. The District Collector and District Magistrate,  
Tiruvarur District, Tiruvarur.
3. The Superintendent of Police,  
Tiruvarur District, Tiruvarur.
4. The Inspector of Police,  
Needamangalam Police Station,  
Tiruvarur District.
5. The Superintendent of Prisons,  
Central Prison, Tiruchirappalli.
6. The Public Prosecutor  
High Court of Madras.



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P.VELMURUGAN, J.,  
AND  
M.JOTHIRAMAN, J.,

ms

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