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H.C.P.No.2021 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.02.2026

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN
and
THE HONOURABLE MR. JUSTICE M.JOTHIRAMAN

H.C.P.No.2021 of 2025

Palraj

... Petitioner

Vs.

1. The Additional Chief Secretary to Government,
Home, Prohibition & Excise Department,
Secretariat, Chennai – 600 009.
2. The District Magistrate and District Collector,
Erode District, Erode.
3. The Superintendent of Police, Erode District.
4. The Inspector of Police,
Erode Taluk Police Station, Erode. District.
5. The Superintendent of Prison,
Central Prison, Coimbatore.

.Respondents

Prayer: This Habeas Corpus Petition has been filed under Article 226 of the Constitution of India to issue Writ of Habeas Corpus to call for the records relating to the detention order dated 26.03.2025 passed by the second respondent in proceedings in T.P.D.A.No.273 against the detainee Tamilarasu, Son of Ramasamy, aged about 28 years, who is confined at Central Prison, Coimbatore, and set aside the same and direct the respondents to produce the detainee before this Court and set him at liberty.

For Petitioner : Mr.S.Azhaguvel

For Respondents : Mr.R.Muniyapparaj, Addl. Public Prosecutor,
Assisted by Mr.M.Sylvester John

ORDER

The petitioner, who is the brother-in-law of the detenu viz. Tamilarasu, Son of Ramasamy, Male, aged about 28 years, has come forward with this petition challenging the detention order passed by the second respondent dated 26.03.2025 bearing Cr.M.P.No.11/GOONDA/2025 C1 under Sub Section (1) of Section 3 of 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] r/w the order issued by the Government in G.O.(D) No.18, Home, Prohibition and Excise (XIV) Department, dated 09.01.2025 under Sub Section (2) of Section 3 of the said Act.

2 According to learned counsel for the petitioner, the translated version of the most of the relied documents were not produced to the detenue. Hence the detenue could not make effective representation against the detention order. Therefore the detention order is liable to be quashed.



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3 Learned Additional Public Prosecutor submitted that the detaining authority, after due consideration of the materials produced by the sponsoring authority, arriving at subjective satisfaction, detained the detainee as “Goonda”.

4 We have heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

5 It is seen that the detention order was passed on 26.03.2025 and subsequently copies have been served to the detainee, in which, as pointed out by the learned counsel for the petitioner, translated copies of most of the documents have not been annexed, which are all obviously deprived the rights of the detainee from making effective representation and the same also caused serious prejudice to the detainee, Therefore we are inclined to set aside the detention order.

6 Accordingly, this Habeas Corpus Petition is allowed and the detention order passed by the second respondent dated 26.03.2025 bearing Cr.M.P.No.11/GOONDA/2025 C1 detaining the petitioner’s brother-in-law Tamilarasu, Son of Ramasamy, Male, aged about 28 years, who is confined at the Central Prison,



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Coimbatore, is hereby set aside and the detenu Tamilarasu, Son of Ramasamy, Male, aged about 28 years, is directed to be set at liberty forthwith unless he is required in connection with any other case.

[PVJ]

[MJRJ]

26.02.2026

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To

1. Additional Chief Secretary to Government,
Home, Prohibition & Excise Department,
Secretariat, Chennai – 600 009.
2. The District Magistrate and District Collector,
Erode District, Erode.
3. The Superintendent of Police, Erode District, Erode.
4. The Inspector of Police,
Erode Taluk Police Station, Erode. District.
5. The Superintendent of Prison,
Central Prison, Coimbatore.
6. The Additional Public Prosecutor, Madras High Court.



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