



HCP No. 2059 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-04-2026

CORAM

THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

HCP No. 2059 of 2025

Sammanasumary

..Petitioner(s)

Vs

1. The Secretary to the Government
Home, Prohibition and Excise Department,
Secretariat, Chennai-600 009.
2. The District Magistrate and Collector of
Kallakurichi District, Kallakurichi
3. The Superintendent of Police
Kallakurichi District, Kallakurichi
4. The Superintendent of Prison
Central Prison, Cuddalore
5. The Inspector of Police
Thiyagadurgam Police Station,
Kallakurichi District.

..Respondent(s)

Prayer : Petition filed under Article 226 of Constitution of India praying for issuance of Writ of Habeas Corpus, calling for the records in connection with the order of detention passed by the second respondent dated 22.09.2025 in D.O.No.C2/26/2025 against the petitioner's husband Susainathan, male aged 48 years S/o.Chinnappan, who is confined at Central Prison, Cuddalore and setaside the same and direct the respondent



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to produce the detenu before this Court and set him at liberty.

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For Petitioner(s): Mr.D.Balaji

For Respondent(s): Mr. R.Muniyapparaj,
Additional Public Prosecutor,
Assisted By
Mr. M.Sylvester John

ORDER

(Order of the Court was made by Sunder Mohan J.)

The wife of the detenu – Susainathan, aged 48 years, S/o.Chinnappan, has filed this petition challenging the detention order dated 22.09.2025, branding him as a ‘Drug Offender’ under Section 2(e) of the Tamil Nadu Preventive Detention Act, 1982 (Act 14/1982).

2. We have heard learned counsel for petitioner and learned Additional Public Prosecutor for respondents.

3. The detention order is liable to be set aside on the sole ground that the translated copies of the Arrest Card and Arrest Intimation at Page Nos.19 to 21 in Volume – I, have not been furnished to the detenu. Admittedly the detenu is acquainted only with Tamil. It is well settled



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that if the document is not furnished in the language known to the detenu, his right to make effective representation would be denied. In '*Powanammal Vs. State of Tamil Nadu*' reported in '*(1999) 2 SCC 413*', the Hon'ble Supreme Court had held that non-supply of documents in the language known to the detenu renders the detenu's detention illegal.

4. Accordingly, this Habeas Corpus Petition is allowed and the Detention Order passed by the second respondent in Detention Order in D.O.No.C2/26/2025 dated 22.09.2025 is set aside.

5. The detenu, viz., Susainathan, aged 48 years, S/o.Chinnappan, now confined in Central Prison, Cuddalore, is directed to be set at liberty forthwith, unless his presence is required in connection with any other case.

(A.S.M.,J.) (S.M.,J.)
28-04-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

Note: Issue Order Today

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To

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Home, Prohibition and Excise Department,
Secretariat,
Chennai-600 009.
2. The District Magistrate and Collector of
Kallakurichi District,
Kallakurichi
3. The Superintendent of Police
Kallakurichi District, Kallakurichi
4. The Superintendent of Prison
Central Prison, Cuddalore
5. The Inspector of Police
Thiyagadurgam Police Station,
Kallakurichi District.
6. The Joint Secretary,
Law and Order Department,
Secretariat, Chennai
7. The Public Prosecutor,
High Court, Madras.



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**DR.ANITA SUMANTH, J.
AND
SUNDER MOHAN, J.**

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