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*HCP.No.2098 of 2025*

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.02.2026

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THE HONOURABLE MR.JUSTICE P.VELMURUGAN

AND

THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN

H.C.P.No.2098 of 2025

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... Petitioner/  
Mother of the detenu

Versus

1. The Principal Secretary to Government,  
Home Prohibition and Excise Department  
Fort St.George, Chennai – 600 009.
2. The Commissioner of Police,  
Tambaram City.
3. The Superintendent,  
Central Prison, Puzhal, Chennai – 66.
4. The Inspector of Police,  
Law & Order, T-22,  
Medavakkam Police Station,  
Chennai.

... Respondents

Prayer:- Habeas Corpus Petition filed under Article 226 of the Constitution of India praying for a Writ of Habeas Corpus, calling for the records relating



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to the detention order passed by the second respondent pertaining to the order made in B.C.D.F.G.I.S.S.S.V.No.79/2025 dated 08.07.2025 in detain the detenu under 2 (f) of Tamil Nadu Act 14 of 1982, as a GOONDA and quash the same and direct the respondent to produce the detenu R.Karthikeyan, S/o.Ramesh, aged about 33 years, who is detained at Central Prison, Puzhal, Chennai, before this Court and set him at liberty.

For Petitioner : Mr.G.Nirmal Krishnan

For Respondents : Mr.R.Munniyapparaj  
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 mother of the detenu R.Karthikeyan, S/o.Ramesh, aged about 33 years, has come forward with this petition challenging the detention order passed by the second respondent dated 08.07.2025 in B.C.D.F.G.I.S.S.S.V.No.79/2025, slapped on her son R.Karthikeyan, now confined in Central Prison, Puzhal, Chennai, branding him as "Goonda" 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].



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2. Heard the learned counsel for the petitioner and the learned

Additional Public Prosecutor appearing for the respondents.

3. Though several grounds have been raised in the habeas corpus petition assailing the order of detention, the learned counsel for the petitioner mainly focussed his arguments on the ground that the copy of the List of Property sent to Magistrate under Form No.91, found at Page No.151 in Volume-II of the booklet supplied to the detenu, is illegible, which prevented the detenu from making an effective representation against the impugned order of detention. Hence, he contended that the order of detention stands vitiated and is liable to be quashed.

4. The aforesaid submission made by learned counsel appearing for the petitioner has not been disputed by learned Additional Public Prosecutor appearing for the respondents.

5. On a perusal of the Booklet supplied to the detenu, it is seen that Page No.151 in Volume-II, containing the copy of List of Property sent to Magistrate under Form No.91, is illegible. As such, we find that the



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furnishing of the illegible copies would prejudice the detenu in making an effective representation against the impugned order of detention dated 08.07.2025.

6. In view of the aforesaid facts, this Court is of the view that the detention order is liable to be quashed on these grounds.

7. In the result, the Habeas Corpus Petition is allowed and the detention order passed by the second respondent in B.C.D.F.G.I.S.S.V.No.79/2025 dated 08.07.2025 is hereby set aside. The detenu, viz., R.Karthikeyan, S/o.Ramesh, aged about 33 years, who is now confined in the Central Prison, Puzhal, Chennai, is hereby directed to be set at liberty forthwith unless his presence is required in connection with any other case.

**[P.V.,J.]            [M.J.R.,J.]**  
11.02.2026

Index: Yes/No  
Neutral Citation: Yes/No  
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M.JOTHIRAMAN, J.,

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