



WEB COPY

HCP No.2169 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-06-2026

CORAM

THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

HCP No. 2169 of 2025

Boopathi
W/o.Kothandam,
No.3/62, Perumalkoil Street,
Pallambakkam Village,
Kancheepuram Taluk and District

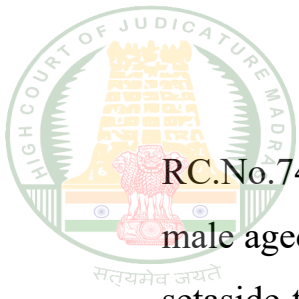
..Petitioner/Mother of
the Detenu

Vs

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

...Respondents

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 01.09.2025 in



RC.No.746/2025 /M6 D.No.32/2025 against the petitioner's Son Rajasekar, male aged 23 yrs S/o.Kothandam who is confined at Central Prison, Vellore and setaside the same and direct the respondents to produce the detenu before the Honble Court and set him at liberty

For Petitioner: Mr.P.Raman
for Mr.D.Balaji

For Respondents: Mr.C.R.Malarvannan
Counsel for Government of Tamil Nadu
(Criminal Side)

ORDER

(Order of the Court was made by SUNDER MOHAN J.)

The mother of the detenu – Rajasekar, aged 23 years, S/o.Kothandam, has filed this petition challenging the detention order dated 01.09.2025, branding him as a 'GOONDA' under Section 2(f) of the Tamil Nadu Preventive Detention Act, 1982 (Act 14/1982).

2. We have heard learned counsel for petitioner and learned counsel for Government of Tamil Nadu (Crl.Side) for respondents.

3. From the submissions and perusal of the records, it is seen that the translated copy of the postmortem report that has been relied upon by the detaining authority has not been furnished to the detenu. It is also seen that the correct translation of the arrest intimation has not been furnished. Admittedly, the detenu is acquainted only with Tamil. It is well settled



that if the relied upon documents are 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 relevant 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 RC.No.746/2025 /M6 D.No.32/2025 dated 01.09.2025 is set aside.

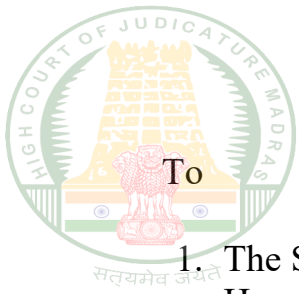
5. The detenu, viz., Rajasekar, aged 23 years S/o.Kothandam, now confined in Central Prison, Vellore, is directed to be set at liberty forthwith, unless his presence is required in connection with any other case.

(A.S.M.,J.) (S.M.,J.)
02-06-2026

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

Note: Issue Order Copy today

dk



To

1. The Secretary to the Government
Home, Prohibition and Excise Department,
Secretariat, Chennai-600 009.
2. The District Collector and District Magistrate
Kancheepuram District, Kancheepuram.
3. The Superintendent of Police
Kancheepuram District,
Kancheepuram.
4. The Superintendent of Prison,
Central Prison, Vellore.
5. The Inspector of Police
Ponnerikarai Police station,
Kancheepuram District.
6. The Joint Secretary,
Law and Order Department,
Secretariat,
Chennai – 600 009.
7. The Public Prosecutor,
High Court of Madras.



WEB COPY

HCP No.2169 of 2



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

dk

HCP No. 2169 of 2025

02-06-2026