



HCP No.2242 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED : 23-06-2026**

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**THE HON'BLE DR.JUSTICE ANITA SUMANTH**

**AND**

**THE HON'BLE MR.JUSTICE SUNDER MOHAN**

**HCP No. 2242 of 2025**

Abinaya

D/o.Perumal, LIC Backside, Ambedkar Nagar,  
Tirupathur Taluk,  
Tirupathur District

..Petitioner/  
Daughter 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 of  
Tirupathur District, Tirupathur.
3. The Superintendent of Police  
Tirupathur District, Tirupathur.
4. The Supertintendent of Prison,  
Special Prison for Women, Vellore.
5. The Inspector of Police  
Tirupathur PEW Police Station,  
Tirupathur District.

..Respondent(s)



HCP No.2242 of 2025

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 15.10.2025 in C3/D.O.No.34/2025 against the petitioner mother Vijaya, Female, aged 45 years W/o.Perumal who is confined at Special Prison for Women, Vellore and set aside the same and direct the respondent to produce the detenu before this Court and set him at liberty.

For Petitioner(s): Mr.D.Balaji

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

### **ORDER**

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

The daughter of detenu - Vijaya, W/o.Perumal, aged 45 years, has filed this petition challenging the detention order dated 15.10.2025, branding her as a 'Bootlegger' under Section 2(b) 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 (Criminal Side) for respondents.



3. In this case, the detention order was passed on 15.10.2025 and served on the same day. However, we find that the booklet containing the documents relied upon by the detaining authority was furnished only on 22.10.2025, which is beyond the statutory limit of five days from the date of the detention order. Section 8 of Act 14/1982 mandates that the grounds of detention have to be furnished within five days from the date of detention. It is well settled that the grounds of detention includes all relevant documents relied upon by the detaining authority.

4. Therefore, in view of the statutory violation, the impugned detention order is liable to be set aside, as further detention of the detenu becomes illegal.

5. In light of the aforesaid discussion, this Habeas Corpus Petition is allowed and the Detention Order passed by the second respondent in C3/D.O.No.34/2025 dated 15.10.2025 is set aside.

6. The detenu, viz., Vijaya, W/o.Perumal, aged 45 years, who is now confined in Special Prison for Women, Vellore, is hereby directed to



be set at liberty forthwith unless her presence is required in connection with any other case.

(A.S.M.,J.) (S.M.,J.)  
23-06-2026

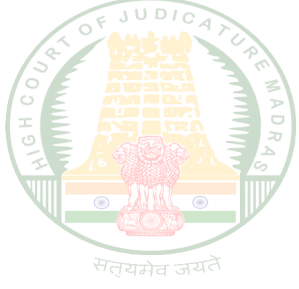
Index: Yes/No  
Speaking/Non-speaking order  
Neutral Citation: Yes/No

Issue Order Copy Today.

ars

To

1. The Secretary to the Government,  
Home, Prohibition and Excise Department,  
Secretariat, Chennai-600 009.
2. The District Collector and District Magistrate of  
Tirupathur District, Tirupathur.
3. The Superintendent of Police  
Tirupathur District, Tirupathur.
4. The Supertintendent of Prison,  
Special Prison for Women , Vellore.
5. The Inspector of Police  
Tirupathur PEW Police Station, Tirupathur District.
6. The Joint Secretary,  
Law and Order Department, Secretariat, Chennai – 600 009.
7. The Public Prosecutor,  
High Court of Madras.



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

ars

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