



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-04-2026

CORAM

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THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

HCP No. 2276 of 2025

N.Kavitha
W/o. Nagaraj,
MK Thottam, Chidhambaram Taluk,
Cuddalore District.

..Petitioner(s)

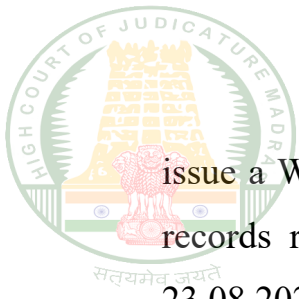
Vs

1. The State rep by Home Secretary to the Govt of Tamil Nadu
Home, Prohibition and Excise Department, Fort St. George, Chennai-600 009.
2. The District Magistrate And District Collector.
District Collectorate,
Kallakuruchi-606202.
3. The Superintendent Of Police,
Office of the Superintendent of Police,
Kallakuruchi, Kallakuruchi District-606202.
4. The Inspector of Police
Sankarapuram Police Station,
Kallakuruchi District-606401.
5. The Superintendent of Prison
Central Prison,
Cuddalore-607001.
At present, Coimbatore.

..Respondent(s)

HCP No. 2276 of 2025

Petition filed under Article 226 of the Constitution of India praying to



issue a Writ, order or direction in the nature of a habeas Corpus to call for the records relating to the Detention order passed by the 2nd respondent dated 23.08.2025 in D.O.No.C2/25/2025 against the petitioners son of the Detenu Sriram, Male aged about 21 years, son of Perumal, TPDA No.4622 who was confined at Central Prison, Cuddalore and at present transferred to the Central Prison, Coimbatore and now confined at Central Prison, Coimbatore and set aside the same and direct the respondents to produce the detenue this Honble Court and set him at liberty.

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For Petitioner(s): T.Perinbanathan

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

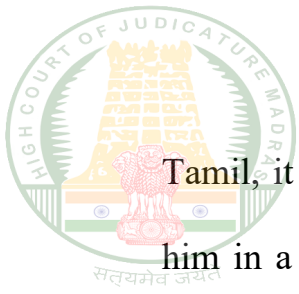
Order

(Order of the Court was made by Dr.Anita Sumanth J.)

The mother of one – Sriram, S/o. Nagaraj, aged 21 years, branding the detenu as a ‘Goonda’ under Act 14 of 1982 and detaining him under order dated 23.08.2025 at Central Prison, Cuddalore has approached this Court.

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

3.We find from a perusal of the booklet, several legal flaws that arise in the passing of the impugned detention order. The first is that the arrest intimation has not been translated to Tamil. Seeing as learned Additional Public Prosecutor would accede to the position that the detenu is conversant only in



Tamil, it is necessary that the arrest intimation ought to have been supplied to him in a language that he comprehends in order that he may put forth a valid defence. This is a first flaw.

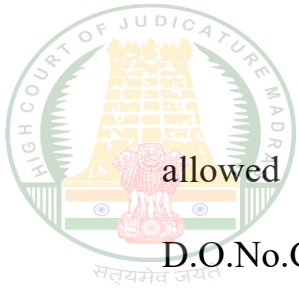
4. That apart, though the grounds of detention have been supplied to the petitioner on 24.08.2025, the date after the detention, the booklet containing the supporting documents have, admittedly been supplied to the petitioner only on 01.09.2025. Section 8 of Act 14 of 1982 stipulates that the grounds of detention have to be served on the detenu not later than 5 days from detention.

5. Evidently, the grounds would have to accompany the supporting material on the basis of which the order of detention has been passed, to enable the detenu to put up an effective defence and make a representation before the authorities challenging the order of detention. Grounds of detention without the supporting material is akin to a structure without a foundation, and the two go hand in hand.

6. In light of the aforesaid discussion, we are of the considered view that the admitted delay in supplying the booklet containing the supporting materials to the detenu, beyond the period of 5 days stipulated in the Act is fatal to the order of detention, and we hence set aside the same.

7. Incidentally, a co-accused of this detenu had approached this Court in HCP.No.2271 of 2025, and we have, vide our order dated 20.04.2026, allowed the HCP on the identical grounds as noticed and accepted supra.

8. In light of the aforesaid discussion, this Habeas Corpus Petition is



allowed and the Detention Order passed by the second respondent in D.O.No.C2/25/2025, dated 23.08.2025, is set aside.

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9. The detenu, viz., Sriram, S/o. Nagaraj, aged 21 years, now confined in Central Prison, Coimbatore, 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.)
21-04-2026

Index: Yes/No

Speaking order

Neutral Citation: Yes

vs

Note to Registry: Issue today.

To

1. The State rep by Home Secretary to the Govt of Tamil Nadu
Home, Prohibition and Excise Department, Fort St. George, Chennai-600 009.
2. The District Magistrate And District Collector.
District Collectorate,
Kallakuruchi-606202.
3. The Superintendent Of Police,
Office of the Superintendent of Police,
Kallakuruchi, Kallakuruchi District-606202.
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Sankarapuram Police Station,
Kallakuruchi District-606401.
5. The Superintendent of Prison
Central Prison,
Cuddalore-607001.
At present, Coimbatore.



6. The Superintendent of Prison
Central Prison, Coimbatore.

7. The Public Prosecutor,
High Court, Madras.

8. The Joint Secretary to Government
Public (Law and Order),
Secretariat, Fort St.George,
Chennai - 9



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

VS

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21-04-2026