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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-06-2026

CORAM

THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

HCP No.2272 of 2025

Najma Bibi
W/o. Asraf,
Bilaspur, Alinagar,
Kaliganj, Murshidabad,
West Bengal.

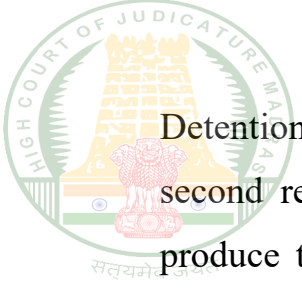
...Petitioner/Sister of the
Detenu

Vs

1. The State of Tamil Nadu,
rep by The Secretary to Government,
Home, Prohibition and Excise Department,
Fort St George, Chennai - 600 009.
2. The Commissioner of Police/
Detaining Authority
Office of the Commissioner of Police,
Coimbatore City.
3. The Superintendent of Prison,
Central Prison,
Coimbatore District.
4. The Inspector of Police
C-1, Katoor Police Station, Coimbatore City.

..Respondent(s)

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



Detention order vide C.No.159/G/IS/2025 dated 29.09.2025, passed by the second respondent and quash the same and direct the respondents herein to produce the petitioner's brother namely F. Najbul Haque, S/o. Faijul Haque, Aged 35 years, who is presently under going detention in the Central Prison, Coimbatore before this Court and set him at liberty.

For Petitioner: Mr.M.N.Balakrishnan

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 sister of the detenu – F. Najbul Haque, aged 35 years, S/o. Faijul Haque, has filed this petition challenging the detention order dated 29.09.2025, 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 counsel for Government of Tamil Nadu (Crl.Side) for respondents.

3. From the submissions and perusal of the records, it is seen that the booklet containing relevant documents that has been relied upon by the detaining authority has not been furnished to the detenu in Bengali. Admittedly, the detenu is acquainted only with Bengali. In fact, the detention order and the



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grounds of detention were supplied to the detenu in Bengali which confirms that the detenu is only acquainted with Bengali. 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 C.No.159/G/IS/2025 dated 29.09.2025 is set aside.

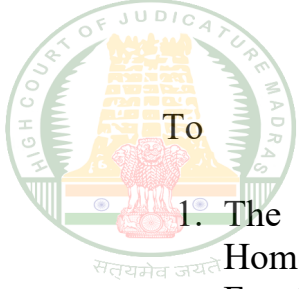
5. The detenu, viz., F. Najbul Haque, aged 35 years, S/o. Faijul Haque, now confined in Central Prison, Coimbatore, is directed to be set at liberty forthwith, unless his presence is required in connection with any other case.

(A.S.M.,J.) (S.M.,J.)
04-06-2026

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

Note : Issue Order Copy Today

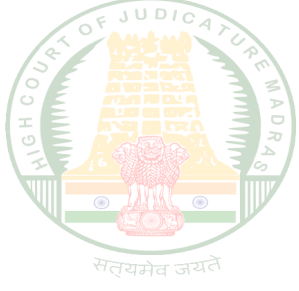
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To

1. The Secretary to Government,
Home, Prohibition and Excise Department,
Fort St George, Chennai - 600 009.
2. The Commissioner of Police/
Detaining Authority,
Office of the Commissioner of Police,
Coimbatore City.
3. The Superintendent of Prison,
Central Prison,
Coimbatore District.
4. The Inspector of Police,
C-1, Katoor Police Station, Coimbatore City.
5. The Joint Secretary,
Law and Order Department,
Secretariat, Chennai – 600 009.
6. The Public Prosecutor,
High Court of Madras.

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

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HCP No. 2272 of 2025

04-06-2026