



WEB COPY

HCP No. 2364 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-02-2026

CORAM

**THE HONOURABLE MR JUSTICE P.VELMURUGAN
AND
THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN**

HCP No.2364 of 2025

Lakshmi
W/o Santhosh
No.64-2/1-0, Sakthi Kovil Street
Salem District

Petitioner

Vs

1. The State of Tamil Nadu
rep.by its Secretary to Government
Home, Prohibition and Excise Department
Secretariat, Fort.St.George
Chennai – 600 009
2. The Commissioner of Police
Salem City, Salem
- 3.The Superintendent of Prison
Central Prison, Salem District
4. The Inspector of Police
Sooramangalam Police Station
Salem City

Respondents

Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Habeas Corpus, to call for the records pertaining to the order of detention passed in C.M.P.No.29/Goonda/Salem City/2025 dated on 24.06.2025 passed by the 2nd respondent and set aside the same and directing the respondents to produce the petitioner's husband by name Santhosh son of Rajkumar aged about 32 years before this Hon'ble Court, now confined in



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Central Prison, Salem and set him at liberty.

For Petitioner: Mr.C.Deepakkumar

For Respondents: Mr.R.Muniyapparaj
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 wife of the detenu, viz., Thiru.Santhosh, S/o Rajkumar, aged 32 years, now confined at Central Prison, Salem has come forward with this petition challenging the detention order passed by the second respondent in proceedings C.M.P.No.29/Goonda/Salem City/2025 dated 24.06.2025.

2. Heard the learned counsel for the petitioner as well as the learned Additional Public Prosecutor appearing for the respondents.

3. Though several grounds are raised in the petition, the learned counsel for the petitioner submitted that there is an inordinate delay in passing the order of detention.

4. It is seen that though the detenu was arrested on 11.05.2025 in the ground case, the detention order came to be passed only on 24.06.2025 after an inordinate delay and such delay would snap the live and proximate link between



the grounds and the purpose of detention. In view of the unexplained and inordinate delay in passing the order of detention after the arrest of the detenu, the detention order is liable to be set aside.

5. In view of the above, this habeas corpus petition is allowed and the impugned detention order made in proceedings C.M.P.No.29/Goonda/Salem City/2025 dated 24.06.2025 on the file of the second respondent, is set aside. The detenu, namely, Thiru.Santhosh, S/o Rajkumar, aged about 32 years, is directed to be set at liberty forthwith, unless his custody is required in connection with any other case.

(P.VELMURUGAN J.) (M.JOTHIRAMAN J.)
16-02-2026

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

SS



To

1. The Secretary to Government
Home, Prohibition and Excise Department
Secretariat, Fort.St.George
Chennai – 600 009
2. The Commissioner of Police
Salem City, Salem
3. The Superintendent of Prison
Central Prison, Salem District
4. The Inspector of Police
Sooramangalam Police Station
Salem City
5. The Public Prosecutor
High Court, Madras



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**P.VELMURUGAN J.
AND
M.JOTHIRAMAN J.**

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