



HCP No.2391 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23-06-2026

CORAM

THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

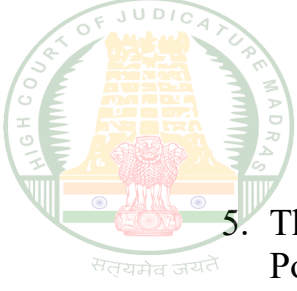
HCP No. 2391 of 2025

Nathiya
W/o. Prabhu @ Moosa,
Koor Colony,
Periyar Street,
Allinagar, Polur Town,
Tiruvannamalai District.

...Petitioner/Wife of the
detenue

Vs

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



5. The Inspector of Police,
Polur Police Station,
Tiruvannamalai District.

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...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 24.10.2025 in D.O.No.50/ 2025-C2 against the petitioner's Husband Prabhu @ Moosa, male aged 23 years S/o. Shanmugam, who is confined in Central Prison, Vellore and set aside the same and direct the respondents to produce the detenu before this Court and set him at liberty.

For Petitioner: 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.)

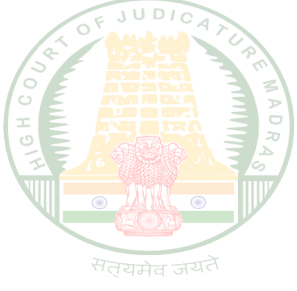
The wife of the detenu – Prabhu @ Moosa, aged 23 years, S/o. Shanmugam, has filed this petition challenging the detention order dated 24.10.2025, branding him as a 'GOONDA' under Section 2(f) of the Tamil Nadu Preventive Detention Act, 1982 (Act 14/1982).



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 copies of the Accident Register and the bail order of similar case that have been relied upon by the detaining authority have not been furnished to the detenu. 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 D.O.No.50/2025-C2 dated 24.10.2025 is set aside.



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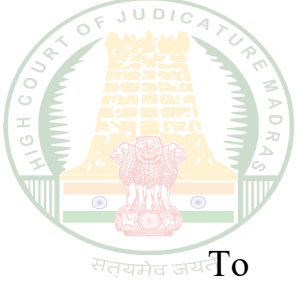
5. The detenu, viz., Prabhu @ Moosa, aged 23 years, S/o. Shanmugam, now confined in Central Prison, Vellore, is directed to be set at liberty forthwith, unless his presence is required in connection with any other case.

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

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

Issue Order Copy today.

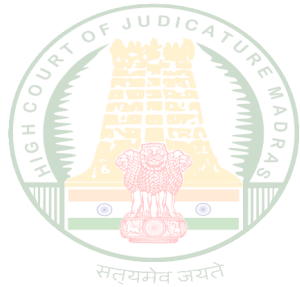
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To

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

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