



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03-06-2026

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THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

HCP No.2394 of 2025

Bharathi
W/o.Subramani,
No.1/26-32, Vaipadi,
Chinnapuliyampalayam,
Erode District.

...Petitioner/Wife of the
Detenu

Vs

1. The Additional Chief Secretary to Government,
Home, Prohibition and Excise Department,
Fort St.George, Secretariat, Chennai - 600 009.
2. The District Magistrate And District Collector.
Erode District,
Erode.
3. The Superintendent of Police,
Erode District,
Erode.
4. The Superintendent of Prison,
Central Prison-Coimabtoe,
Coimbatore District.
5. The State rep by its
The Inspector of Police,
PEW- Erode Town,
Erode District.

...Respondents



Prayer : Petition filed under Article 226 of Constitution of India praying for issuance of Writ of Habeas Corpus, calling for the entire records, relating to the petitioner's husband detention under Tamil Nadu Act 14 of 1982 vide detention order, dated 13.09.2025 on the file of the second respondent herein made in proceedings Cr.M.P.No.54/Drug Offender/2025 C1, quash the same as illegal and consequently direct the respondents herein to produce the petitioner's husband namely Subramani, S.o. Rangasamy, aged 50 years, before this Hon'ble High Court and set the petitioner's husband at liberty from detention now the petitioner's husband detained at Central Prison, Coimbatore.

For Petitioner : Mr.D.Akash Kumar
for
Mr.W.Camyles Gandhi

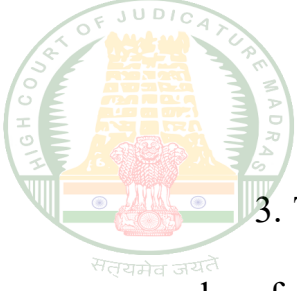
For Respondents: Mr.C.R.Malarvannan
Counsel for Government of Tamil Nadu
(Criminal Side)

ORDER

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

The wife of the detenu – Subramani, aged 50 years, S/o.Rangasamy, has filed this petition challenging the detention order dated 13.09.2025, 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.

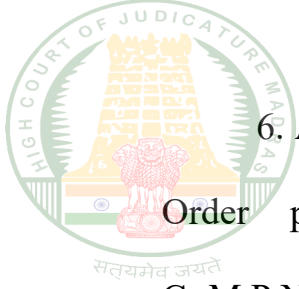


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3. The learned counsel for the petitioner would submit that the impugned order of detention has to be set aside for the reason that the Government Order delegating the power of detention to the 2nd respondent herein has not been translated in Tamil; and that the special report of the sponsoring authority is undated, thereby denying the detenu to make an effective representation against the detention order.

4. Heard the learned counsel for Government of Tamil Nadu (Crl.Side) for respondents, who would fairly concede that the translated version of the Government Order was not furnished to the detenu and the special report of the sponsoring authority is undated.

5. It is seen from the booklet furnished to the detenu that the Government Order has not been translated in Tamil, while other documents were translated in Tamil, which is the language known to the detenu. 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.



6. Accordingly, this Habeas Corpus Petition is allowed and the Detention Order passed by the second respondent in Detention Order in Cr.M.P.No.54/Drug Offender/2025 C1 dated 13.09.2025 is set aside.

7. The detenu, viz., Subramani, aged 50 years, S/o.Rangasamy, 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.)
03-06-2026

Index: Yes/No

Speaking/Non-speaking order

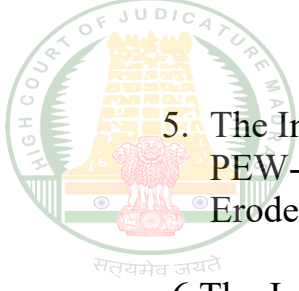
Neutral Citation: Yes/No

Note : Issue Order Copy today

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To

1. The Additional Chief Secretary To Government
Home, Prohibition and Excise Department, Fort St.George, Secretariat,
Chennai-600 009.
2. The District Magistrate And District Collector.
Erode District,
Erode.
3. The Superintendent of Police,
Erode District,
Erode.
4. The Superintendent of Prison,
Central Prison-Coimabtoe,
Coimbatore District.



5. The Inspector of Police,
PEW- Erode Town,
Erode 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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