



HCP No. 2424 of 2025

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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. 2424 of 2025

Nandhini

..Petitioner(s)

Vs

1. The Addl. Chief Secretary to the Government
Home, Prohibition and Excise (XVI)
Department,
Secretariat,
Chennai 600 009.
2. The District Collector and District Magistrate,
Thirvallur District,
Thiruvallur.
3. The Inspector of Police,
PEW Gummidipoondi Unit.
4. The Superintendent of Prison
Central Prison,
Puzhal.

..Respondent(s)

Prayer: Petition filed under Article 226 of the Constitution of India, seeking for a Writ of Habeas Corpus, calling for the entire records connected with the detention order in Detention No. 40/2025 on 26.10.2025 on the file of the Respondent No.2 and quash the same and direct the respondents to produce petitioner husband one named



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Paramasivam S/o.Sanmugavel aged about 35 years now confined at Central Prison, Puzhal before this Court and set him at liberty forthwith.

For Petitioner(s):	Mr. P. Raman for M/s.J.Ganapathi
For Respondent(s):	Mr.C.R. Malarvannan, Counsel for Government of Tamil Nadu (Criminal Side)

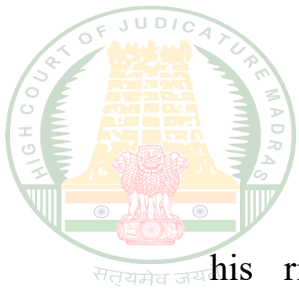
ORDER

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

The wife of the detenu – Paramasivam, aged 35 years, S/o.Shanmugavel, has filed this petition challenging the detention order dated 26.10.2025, 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 (Criminal Side) for respondents.

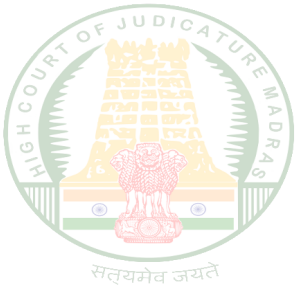
3. It is seen that the translated copy of the relevant documents namely, the Arrest Intimation Form, has not been furnished to the detenu. Admittedly, the detenu is acquainted only with Tamil. It is well settled that if the document is not furnished in the language known to the detenu,



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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. That apart, in the grounds of detention, the detaining authority has stated that the detenu has not moved a bail application in the present case. However, he has observed that there is a strong chance of him coming out on bail by filing a bail application. Admittedly, there was no material placed before the detaining authority that the detenu or his relatives were taking steps to file a bail application. In such circumstances, inference of the detaining authority that the detenu is likely to file a bail application and come out on bail is his mere *ipse dixit*. Since the satisfaction arrived at by the detaining authority is without basis, the conclusion that the detenu would indulge in further criminal activities, is vitiated. For both the reasons, the detention order is liable to be quashed.



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6. Accordingly, this Habeas Corpus Petition is allowed and the Detention Order passed by the second respondent in Detention Order in Detention Order. No.40/2025 dated 26.10.2025 is set aside.

7. The detenu, viz., Paramasivam, aged 35 years, S/o. Shanmugavel, now confined in Central Prison-II, Puzhal, Chennai – 600 066, 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

TSG

Note: Issue order copy today.

To

1. The Addl. Chief Secretary to the Government
Home, Prohibition and Excise (XVI) Department,
Secretariat, Chennai - 600 009.



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2. The District Collector and District Magistrate,
Thirvallur District,
Thiruvallur.
3. The Inspector of Police,
PEW Gummidipoondi Unit.
4. The Superintendent of Prison
Central Prison,
Puzhal.
5. The Joint Secretary,
Law and Order Department,
Secretariat, Chennai
6. The Public Prosecutor,
High Court, Madras.



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

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