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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.04.2026

CORAM

THE HON'BLE MR JUSTICE N. ANAND VENKATESH

AND

THE HON'BLE MR JUSTICE K.K.RAMAKRISHNAN

H.C.P.(MD)No.14 of 2026

A.Gowri

.. Petitioner / Wife of the
detenu

Vs.

1.The State of Tamil Nadu,
represented by
the Additional Chief Secretary to Government,
Home, Prohibition and Excise Department,
Fort St.George, Chennai-600 009.

2.The District Collector and
District Magistrate,
Thoothukudi District,
Thoothukudi-628 601.

3.The Superintendent of Police,
Thoothukudi,
Thoothukudi District.



4.The Superintendent of Prison,
District Jail, Perurani,
Thoothukudi District,
Thoothukudi-628 601.

5.The Superintendent of Prison,
Central Prison,
Palayamkottai.

6.The Inspector of Police,
Megnanapuram Police Station,
Thoothukudi District.

.. Respondents

Prayer :Petition filed under Article 226 of the Constitution of India, to issue a writ of Habeas Corpus, to call for the entire records pertaining to the proceedings of the second respondent in Detention Order H.S.(M).Confdl No.124 of 2025 dated 15.11.2025 and quash the same and the petitioner's husband, namely, Arumugam, aged about 51 years, and set him at liberty, now detained at District Jail, Thoothukudi, Perurani / fourth respondent.

For Petitioner : Mr.V.Balasundarakumar

For Respondents : Mr.A.Thiruvadikumar
Additional Public Prosecutor

ORDER

(Order of the Court was made by N. ANAND VENKATESH,J.)

The petitioner is the wife of the detenu, by name, Arumugam, aged about 51 years. The detenu has been detained by the second respondent by



his order in Detention Order H.S.(M).Confdl No.124 of 2025 dated 15.11.2025 holding him to be a "Goonda", as contemplated under Section 2(f) of the Tamil Nadu Act 14 of 1982. The said order is under challenge in this Habeas Corpus Petition.

2. We have heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents. We have also perused the records produced by the Detaining Authority.

3. Apart from the other grounds raised by the learned counsel appearing for the petitioner, one of the main ground that was raised is that the detenu was arrested on 10.10.2025, whereas, the detention order was passed only on 15.11.2025. There is a delay of 36 days in passing the detention order and this delay is totally unexplained.

4. In our considered view, the issue is squarely covered by the judgment of the Hon'ble Apex Court in the case of ***Sushanta Kumar Banik Vs. State of Tripura and Others*** reported in ***2022 SCC Online SC 1333***.



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5. The detention order is vitiated due to the fact that there was a solitary case and the live and proximate link between the grounds of detention and the purpose of the detention is completely absent. Hence, this Court is inclined to interfere with the detained order passed by the second respondent.

6. In the result, the Habeas Corpus Petition is allowed and the order of detention in Detention Order H.S.(M).Confdl No.124 of 2025 dated 15.11.2025 passed by the second respondent is set aside. The detenu, viz., Arumugam, aged about 51 years, is directed to be released forthwith unless her detention is required in connection with any other case.

(N.A.V.,J..) (K.K.R.K.,J.)
21.04.2026

Index : Yes / No

Internet : Yes / No

TSG

To

1. The Additional Chief Secretary to Government,
Home, Prohibition and Excise Department,
Fort St. George, Chennai-600 009.



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2. The District Collector and District Magistrate,
Thoothukudi District,
Thoothukudi-628 601.
3. The Superintendent of Police,
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Thoothukudi District.
4. The Superintendent of Prison,
District Jail, Perurani,
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5. The Inspector of Police,
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6. The Superintendent of Prison,
Central Prison,
Palayamkottai.
7. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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**N. ANAND VENKATESH,J.
AND
K.K.RAMAKRISHNAN,J.**

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