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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.03.2026

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THE HON'BLE MR JUSTICE N. ANAND VENKATESH

AND

THE HON'BLE MR JUSTICE P.DHANABAL

H.C.P.(MD)No.40 of 2026

Velu

.. Petitioner / Father of the detenu
Vs.

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

2.The Commissioner of Police,
Tiruchirappalli District, Tiruchirappalli.

3.The Superintendent,
Central Prison, Trichy.

.. 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, connected with the detention order of the second respondent in C.No. 80/Detention/C.P.O/TC/2025 detention order dated 03.11.2025 and quash the same and direct the respondents to produce the person or body of the



detenu, namely, Sibiraj S/o. Velu, aged 21 years (now detained at Central Prison, Trichy) before this Court and set him at liberty.

For Petitioner : Mr.N.Ananda Kumar

For Respondents : Mr.A.Thiruvadikumar
Additional Public Prosecutor

ORDER

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

The petitioner is the father of the detenu, by name, Sibiraj S/o. Velu, aged about 21 years. The detenu has been detained by the second respondent by his order in C.No.80/Detention/C.P.O/TC/2025 dated 03.11.2025 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.



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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 there is a delay of 30 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***.

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 C.No.80/Detention/C.P.O/TC/2025 dated 03.11.2025, passed by the second respondent is set aside. The detenu, viz., Sibiraj S/o. Velu,



aged about 21 years, is directed to be released forthwith unless his detention is required in connection with any other case.

(N.A.V.,J..) (P.D.B.,J.)
12.03.2026

Index : Yes / No
Internet : Yes / No
TSG

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

2.The Commissioner of Police,
Tiruchirappalli District, Tiruchirappalli.

3.The Superintendent,
Central Prison, Trichy.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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**N. ANAND VENKATESH,J.
AND
P.DHANABAL,J.**

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