



HCP(MD). No.53 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 10/06/2026

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THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH
AND
THE HONOURABLE MR. JUSTICE K.K. RAMAKRISHNAN

HCP(MD). No.53 of 2026

Sasikala

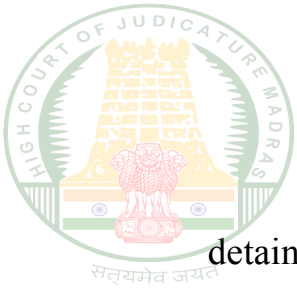
... Petitioners

Vs

1. The State of Tamil Nadu,
Rep By, The Principal Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat,
Chennai - 9..
2. The Commissioner of Police,
Tiruchirappalli City..
3. The Superintendent of Prison,
Central Prison,
Tiruchirappalli..

... Respondents

PRAYER :- Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus, to call for the records pertaining to the impugned detention order passed by the 2nd respondent made in his proceedings in C.No.93/Detention/CPO/TC/2025 dated 15.12.2025 in



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detaining the detenu under Section 2(f) of the Tamilnadu Act 14 of 1982 as a Goonda and quash the same and direct the respondents to produce the Detenu namely, Elamaran, S/o.Thangamani, Male, aged about 19 years, who is detained at Central Prison, Tiruchirappalli, before this Court and set him at liberty.

For Petitioner : Mr.K. M.Karunakaran,
For Respondents : Mr.G.Karuppasamy Pandian,
Government Advocate (Crl.Side)

ORDER

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

The petitioner is the mother of the detenu, by name, Elamaran, S/o.Thangamani, aged about 19 years, The detenu has been detained by the second respondent by his order in C.No.93/Detention/CPO/TC/2025 dated 15.12.2025 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 Government Advocate (Crl.Side) appearing for the



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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 10.11.2025, whereas, the detention order was passed only on 15.12.2025. There is a delay of nearly 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***.

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.



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6. In the result, the Habeas Corpus Petition is allowed and the order of detention in C.No.93/Detention/CPO/TC/2025 dated 15.12.2025, passed by the second respondent is set aside. The detenu, viz., Elamaran, S/o.Thangamani, aged about 19 years, is directed to be released forthwith unless his detention is required in connection with any other case.

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

10.06.2026

Index : Yes / No

Internet : Yes / No

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To

- 1.The Principal Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat,
Chennai - 9..
2. The Commissioner of Police,
Tiruchirappalli City..
3. The Superintendent of Prison,
Central Prison,
Tiruchirappalli..
- 4.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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**ORDER
IN
HCP(MD) No.53 of 2026**

Date : 10/06/2026