



HCP(MD)No.81 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 30.04.2026

CORAM

**THE HON'BLE MR JUSTICE N. ANAND VENKATESH
AND
THE HON'BLE MR JUSTICE K.K.RAMAKRISHNAN**

H.C.P.(MD)No.81 of 2026

Shanmugavel

... Petitioner

Vs

1. State of Tamilnadu rep. by
The Additional Chief Secretary to Government,
Home, Prohibition and Excise Department
Secretariat, Chennai – 9..

2.The District Collector and District Magistrate
Office of the District Collector and District Magistrate
Tiruchirappalli

3. The Superintendent of Prison,
Tiruchirappalli 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 entire records connected with the detention order of the respondent No.2 in Cr.M.P.No.106/2025 dated 30.11.2025 and quash the same and direct the respondents to produce the body or person of the detenu by name Shanmugavel son of Karunakaran,



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aged about 21 years, now detained as Goonda at Trichy Central Prison before this court and set him at liberty forthwith.

For Petitioner : M/s.R.Alagumani

For Respondents : Mr.A.Thiruvadikumar
Additional Public Prosecutor

ORDER

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

The petitioner is the detenu viz.,Shanmugavel S/o.Karunakaran aged about 21 years. The detenu has been detained by the second respondent by his order in Cr.M.P.No.106/2025 dated 30.11.2025 holding him to be a "Goonda", as contemplated under Section 2(f) of 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.

3. Apart from the other grounds that were raised by the learned counsel for the petitioner, the learned counsel submitted that the detaining



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authority was aware of the fact that as on the date of passing of the detention order, no bail application was pending. However, the detaining authority took into consideration the order passed in Cr.M.P.No.3714 of 2025 dated 04.09.2025 and came to the conclusion that bail has been granted in the similar case and therefore, there is likelihood of the detenu coming out on bail. The learned counsel submitted that the order that was relied upon by the detaining authority is not a similar case. Therefore, the detention order suffers from non application of mind.

4. We have carefully considered the order passed in Cr.M.P.No.3714 of 2025 dated 04.09.2025. In that case, the investigation has almost been completed and the Court also took into consideration the period of incarceration suffered by the accused therein. The said order is not similar to the case in hand and therefore, the order that was relied upon by the detaining authority cannot be considered to be similar. Consequently, it suffers from non application of mind. Accordingly, the detention order is liable to be quashed.



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5.. In the result, the Habeas Corpus Petition is allowed and the order of detention in Cr.M.P.No.106/2025 dated 30.11.2025 passed by the second respondent is set aside. The detenu, viz., Shanmugavel S/o.Karunakaran 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.) (K.K.R.K,J.)
15.04.2026

Index : Yes/No
Internet : Yes/No

RR



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To

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Secretariat, Chennai – 9..

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Office of the District Collector and District Magistrate
Tiruchirappalli

3. The Superintendent of Prison,
Tiruchirappalli 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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