



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 18.03.2026

CORAM

THE HON'BLE MR JUSTICE N.ANAND VENKATESH

AND

THE HON'BLE MR JUSTICE P.DHANABAL

H.C.P.(MD)No.151 of 2026

C.Kamala

.. Petitioner / Mother of the detenu

Vs.

1.The State of Tamil Nadu,
Rep by the Additional Chief Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat, Chennai - 9.

2.The District Collector and District Magistrate,
Tirunelveli District.

3.The Superintendent of Prison,
Central Prison, Palayamkottai,
Tirunelveli.

.. 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 passed in M.H.S.Confdl No.101/2025, dated 18-08-2025 on the file of the 2nd respondent herein and quash the same and direct the respondents to produce the detenu or body of the detenu namely the



petitioner's son i.e.Arunpandian alias Maharajan, S/o.Chellaiah, aged about 24 years, now detained at the Central Prison, Palayamkottai, before this Court and set him at liberty forthwith.

For Petitioner : Mr.N.Pragalathan

For Respondents : Mr.A.Thiruvadi Kumar
Additional Public Prosecutor

ORDER

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

The petitioner is the mother of the detenu, by name Arunpandian @ Maharajan, S/o. Chellaiah, aged about 24 years. The detenu has been detained by the second respondent by her order in M.H.S.Confdl.No. 101/2025, dated 18.08.2025, holding him to be a “Goonda”, as contemplated under Section 2(f) of the Tamil Nadu Prevention of Dangerous Activities Act, 1982 (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 grounds raised is that the Detaining Authority, relying upon the order passed in CrI.M.P. No.8429 of 2024, dated 27.11.2024 by the Principal Sessions Court, Tirunelveli, came to the conclusion that it is a similar case where bail was granted and therefore, there is a likelihood of the detenu being released on bail. The learned counsel submitted that the bail order relied upon is not a similar case and therefore, there is non-application of mind.

4. We have carefully gone through the order passed in CrI.M.P. No. 8429 of 2024, dated 27.11.2024 by the Principal Sessions Court, Tirunelveli. That case involved major offences under Sections 109 and 351(3) of the BNS, 2023 and the Court had taken into consideration the fact that no one had sustained any injury and that the accused had already undergone incarceration for 29 days.

5. In the case on hand, there are nearly eight adverse cases apart from the ground case and all these cases pertain to property disputes. Therefore, the order relied upon by the Detaining Authority is not a similar case and



hence, there is non-application of mind.

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6. In the result, the Habeas Corpus Petition is allowed and the order of detention in M.H.S. Confdl. No.101/2025, dated 18.08.2025, passed by the second respondent is set aside. The detenu, viz., Arunpandian @ Maharajan, S/o. Chellaiah, aged about 24 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.,)
18.03.2026

Index : Yes / No

Internet : Yes / No

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4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
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**N. ANAND VENKATESH,J.
AND
P.DHANABAL,J.**

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