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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.06.2026

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THE HON'BLE MR JUSTICE N. ANAND VENKATESH

AND

THE HON'BLE MR JUSTICE K.K.RAMAKRISHNAN

H.C.P.(MD)No.159 of 2026

Perumal

.. Petitioner

Vs.

1.State of Tamil Nadu,
represented by its
the Additional Chief Secretary to Government,
Home, Prohibition and Excise Dept,
Secretariat,
Chennai - 9.

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

3.The Superintendent of Prison,
Central Prison,
Tiruchirappalli, Tiruchirappalli District.

4.The All Women Police Station,
Musiri,
Tiruchirappalli District.

.. Respondents



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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 dated 31.10.2025 in Cr.M.P.No. 98/2025 and quash the same and direct respondents to produce person or body of detenu, namely Perumal, S/o.Rengasamy, aged about 63 years now detained at “Goonda” at Central Prison, Trichirappalli before this Court and set him at liberty.

For Petitioner : Mr.V.Sukumar

For Respondents : Mr.G.Karuppasamy Pandian,
learned counsel for the State
of Tamil Nadu (Criminal
Side)

ORDER

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

The petitioner is the detenu, by name, Perumal, S/o.Rengasamy, aged about 63 years. The detenu has been detained by the second respondent by his order in Cr.M.P.No.98/2025 dated 31.10.2025 holding him to be a “Goonda”, as contemplated under Section 2(f) of theTamil Nadu Act 14 of 1982. The said order is under challenge in this Habeas Corpus Petition.

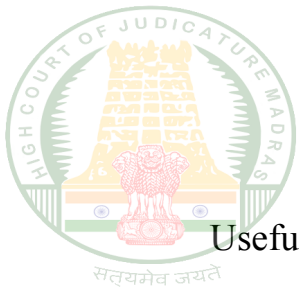


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2. We have heard the learned counsel appearing for the petitioner and the learned counsel for the State of Tamil Nadu (Criminal Side) appearing for the respondents. We have also perused the records produced by the Detaining Authority.

3. Though several grounds have been raised in this petition, the learned counsel for the petitioner would mainly focus his argument on the ground that the detention order was passed on 31.10.2025 and the grounds of detention ought to have been served within five days, on or before 05.11.2025. However it was served on the detenu only on 06.11.2025. Hence, there was a delay of more than five days in serving the booklet to the detenu. On the sole ground, he contended that the detention order is liable to be set aside.

4. Perusal of the record shows that no doubt, the detention order was passed on 31.10.2025 and the booklet was served on the detenu only on 06.11.2025. As per Section 8 of the Act 14 of 1982, the Detaining Authority not later than five days from the date of detention, serve the detenu the grounds of detention. As per the said Act, one day should be excluded.



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Useful reference can be made to the judgment of this Court in the case of

Velammal and Others Vs. The State of Tamil Nadu and Others reported in **2023 (1) MWN (CR.) 593**. In the present case, after excluding the said one day, it is seen that the booklet has been served after five days and hence, the detention order is liable to be quashed.

5. In the result, the Habeas Corpus Petition is allowed and the order of detention in Cr.M.P.No.98/2025 dated 31.10.2025 passed by the second respondent is set aside. The detenu, viz., Perumal, S/o.Rengasamy, aged about 63 years, is directed to be released forthwith unless his detention is required in connection with any other case.

6. If any bail petition is moved by the detenu, the same shall be considered on its own merits and in accordance with law by the Special Court and the order passed in this petition will not have any bearing on the Court while dealing with the bail petition.

(N.A.V.,J..) (K.K.R.K.,J..)
16.06.2026

Index : Yes / No
Internet : Yes / No
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- To
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 2. The District Collector and District Magistrate,
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 4. The All Women Police Station,
Musiri,
Tiruchirappalli District.
 5. 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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