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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.03.2026

CORAM

THE HON'BLE MR JUSTICE N.ANAND VENKATESH

AND

THE HON'BLE MR JUSTICE P.DHANABAL

H.C.P.(MD)No.175 of 2026

R.Muthudurai

.. Petitioner / Brother of the

detenu

Vs.

1.The 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,
Thoothukudi District, Thoothukudi.

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

4.The Superintendent of Prison,
District Jail, Peravurani,
Thoothukudi 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 passed in H.S.(M).Confdl No.101/2025, dated 19-09-2025 on the file of the 2nd respondent herein and quash the same and direct the respondents to produce the detenu or body of the detenue or body of the detenu namely the petitioner's brother i.e. Muthuraj, aged about 23 years, S/o.Ramakrishnan, now detained at the District Jail, Perurani, Thoothukudi District, before this Court and set him at liberty forthwith.

For Petitioner : Mr.N.Pragalathan

For Respondents : Mr.A.Thiruvadikumar
Additional Public Prosecutor

ORDER

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

The petitioner is the brother of the detenu, viz., Muthuraj, S/o. Ramakrishnan, aged about 23 years. The detenu has been detained by the second respondent by his order in H.S.(M).Confdl No.101/2025, dated 19-09-2025, 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.



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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.

3. Though several grounds have been raised in the Habeas Corpus Petition, one of the grounds that was raised by the learned counsel appearing for the petitioner is that the Detaining Authority has stated in the detention order that the remand was extended up to 17.09.2025 and thereafter, it was again extended up to 29.09.2025 and it was contended that this satisfaction was arrived at by the Detaining Authority without any supporting material in the paper book that was furnished to the detainee.

4. We have carefully gone through the paper book and we find, at page Nos. 91 and 93 of the paper book, that a request has been made by the prison authorities through the Inspector of Police for extension of remand. However, the remand extension order is neither available for extension of remand up to 17.09.2025 nor for the further extension of remand up to 29.09.2025. Even without this material, the Detaining Authority has arrived at such a conclusion and the same clearly reflects non-application of mind.



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5. In the result, the Habeas Corpus Petition is allowed and the order of detention in H.S.(M).Confdl No.101/2025, dated 19-09-2025, passed by the second respondent is set aside. The detenu, viz., Muthuraj, S/o. Ramakrishnan, aged about 23 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.)
17.03.2026

Index : Yes / No
Internet : Yes / No

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Thoothukudi District.
5. 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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