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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.04.2026

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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.176 of 2026

V.Ponselvi

.. Petitioner/Mother of the Detenue

Vs.

- 1.The State of Tamilnadu,
Represented by the Additional Chief Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat, Chennai - 9.
 - 2.The District Collector and District Magistrate,
Thoothukudi District.
 - 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.115/2025, dated 31-10-2025 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 son I.e.Suriya, S/o.Velsamy, aged about 23 years, 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.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 Suriya, S/o.Velsamy, aged about 23 years. The detenu has been detained by the second respondent by his order in H.S.(M).Confdl No.115/2025, dated 31-10-2025, holding him to be a "Goonda", as contemplated under Section 2(f) of the Tamil Nadu Prevention Detention Act, 1982 (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. Apart from the other grounds raised by the learned counsel for the petitioner, one of the main grounds that was urged by the petitioner is that the Detaining Authority has stated that he was aware of the extension of remand of the detainee up to 31.10.2025. However, in the paper book that was furnished to the detainee, the extension order of the concerned Court is not available, except the remand extension note of the jail authorities. Therefore, it was submitted that the Detaining Authority reached such a conclusion without any supporting material.

4. It is seen that the Detaining Authority has concluded that the remand of the detainee was extended up to 31.10.2025. But however, the remand extension order is not available in the materials that were supplied to the detainee. What is available is only the extension note prepared by the jail authorities. Hence, the satisfaction arrived at by the Detaining Authority is without any supporting material. Accordingly, the detention order stands



initiated.

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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.115/2025, dated 31-10-2025, passed by the second respondent is set aside. The detenu, viz., Suriya, S/o.Velsamy, 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..) (K.K.R.K.,J.,)
07.04.2026

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
K.K.RAMAKRISHNAN,J.**

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