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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.04.2026

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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.182 of 2026

P.Padmanathan

.. Petitioner/Father 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.
- 3.The Superintendent of Prison,
Central Prison, Palayamkottai,
Tirunelveli.
- 4.The Superintendent of Prison,
District Jail, Peravurani,
Thoothukudi District.

.....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 H.S(M).Confdl No.125/2025 dated 18-11-2025 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.Prakash, S/o.Padmanathan, aged about 21 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.Thiruvadikumar
Additional Public Prosecutor

ORDER

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

The petitioner is the father of the detenu, viz., Prakash, S/o. Padmanathan, aged about 21 years. The detenu has been detained by the second respondent by his order in H.S(M).Confdl No.125/2025, dated 18-11-2025, 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. Apart from the other grounds raised by the learned counsel for the petitioner, one of the main grounds that was raised is that the Detaining Authority had specifically stated in the detention order that he was aware of the extension of remand made to the detenu up to 13.11.2025 and further extension up to 27.11.2025, whereas the remand extension order did not even form part of the paper book. Therefore, it is contended that without any material, the Detaining Authority has reached such a conclusion.

4. We carefully went through the paper book and it is seen that the prison note is available at page Nos.71 and 73 of the first volume of the paper book. However there is no material showing that the remand was extended up to 13.11.2025 and thereafter extended up to 27.11.2025. Therefore, the Detaining Authority has reached such a conclusion without any material. Hence, the detention order suffers from 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.125/2025, dated 18-11-2025, passed by the second respondent is set aside. The detenu, viz., Prakash, S/o. Padmanathan, 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.)
22.04.2026

Index : Yes / No

Internet : Yes / No

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To

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Tirunelveli.
4. The Superintendent of Prison,
District Jail, Peravurani,
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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