



HCP(MD)No.183 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 11.03.2026

CORAM

**THE HON'BLE MR JUSTICE N. ANAND VENKATESH
AND
THE HON'BLE MR JUSTICE P.DHANABAL**

H.C.P.(MD)No.183 of 2026

Rajammal

... Petitioner

Vs

1. The State of Tamilnadu,
Rep By, The Superintendent of Police,
Sivagangai District..

2. The Inspector of Police,
Kalaiyarkovil Police Station,
Sivagangai District..

3. The Inspector of Police,
Sivagangai Taluk Police Station,
Sivagangai District..

4. Kanmani,
Kavi Kanmani Thoppu,
Gowripatti, Nattarasan Kottai,
Sivagangai District..

5. Ramesh,
Kavi Kanmani Thoppu, Gowripatti,
Nattarasan Kottai,
Sivagangai District..

... Respondents



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PRAYER :-Habeas Corpus Petition is filed under Article 226 of the Constitution of India to direct the respondents to produce the detenu or his corpus namely unsound minded Paranthaman, Vazhum Siddhar Paranthaman, S/o.Muthu, aged about 46 years, before this Court and set him at liberty forthwith.

For Petitioner : M/s.A.Joseph Jerry
For Respondents : Mr.E.AntonySahaya Prabahar
for R1 to R3
Additional Public Prosecutor
Mr.S.Rajganesh for R4
Mr.A.Prakash for R5
Mr.V.M.Jegadheesha Pandian
for Malaichamy
Mr.K.Promodhkmar for
detenu
Mr.V.Nagarajan (Mediator)

ORDER

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

This Habeas Corpus Petition has been filed for a direction to the respondent police to produce the detenu and to set him at liberty.

2. The petitioner is the mother of the detenu. In the affidavit, it is stated that the detenu is illegally detained by the respondents 4 and 5, who



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are having criminal cases against them. According to the petitioner, her son had been forcibly taken away and the 4th and 5th respondents are in control of the detenu. A complaint was given in this regard to the 1st and 3rd respondents on 12.02.2026 and since no action was taken, the present petition was filed before this Court.

3. When the matter was taken up in the forenoon session, the learned Additional Public Prosecutor submitted that the detenu has been brought to the Court and that on a preliminary enquiry, it is stated that the detenu is living along with his brother Malaichamy.

4. The learned counsel for the petitioner submitted that taking advantage of the mental condition of the detenu, the 4th and 5th respondents have illegally detained the detenu.

5. The learned counsel for the 4th and 5th respondents submitted that the detenu is living along with his brother Malaichamy for a long time and that the 4th and 5th respondents are the devotees of the detenu, who is claimed to be a Siddhar.



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6. Considering the above submission, we directed the parties to go over to the Mediation and Conciliation Centre attached to the Madurai Bench of Madras High Court in order to enable the Mediator to talk with the parties and provide us with the status. Accordingly, the matter was passed over. The petition was taken up for hearing after the lunch recess. Mr.V.Nagarajan, Advocate, who is the Mediator informed this Court that the detenu appeared and he is able to clearly comprehend the questions put to him and he even identified the petitioner, who is the mother. The Mediator further stated that one Malichamy was also present and he is the brother of the detenu and he stated that the detenu is living with him for a long time.

7. In our considered view, the detenu is an adult and according to the statement of the Mediator, he is a person who is able to clearly comprehend what was happening around him and he was able to answer the questions.

8. If according to the petitioner, the detenu is associated with criminals, at the best it can only be said that the detenu has made such a



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choice, being an adult and a person, is able to comprehend things. In any case, the detenu is not in an illegal custody of the 4th and 5th respondents and he seems to be living along with his brother. Therefore, it cannot be considered as an illegal custody. In such an event, the Habeas Corpus Petition cannot be maintained before this Court.

9. The third respondent is directed to conduct an enquiry based on the complaint dated 12.02.2026 given by the petitioner. The third respondent shall ascertain as to whether the detenu is being illegally detained by certain persons or the detenu on his own volition is living such a life. Based on the enquiry, it is left open to the 3rd respondent to take a decision. Except giving this clarity, no further orders can be passed in this petition. Accordingly, the Habeas Corpus Petition is disposed of.

(N.A.V.,J.) (P.D.B.,J.)
11.03.2026

Index : Yes/No
Internet : Yes
RR



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To

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Sivagangai District..

2. The Inspector of Police,
Kalaiyarkovil Police Station,
Sivagangai District..

3. The Inspector of Police,
Sivagangai Taluk Police Station,
Sivagangai District..

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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AND
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