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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.03.2026

CORAM

THE HON'BLE MR JUSTICE N. ANAND VENKATESH

AND

THE HON'BLE MR JUSTICE K.K.RAMAKRISHNAN

H.C.P.(MD)No.185 of 2026

V.T.Thanaraj

.. Petitioner / Father of the detenu
Vs.

1.The State of Tamil Nadu,
represented by
the Additional Chief Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat, Chennai-600 009.

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

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

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

.. Respondents



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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.100 / 2025 dated 19.09.2025 passed by the second respondent is set aside. The detenu, viz., athal @ Rajalingam, aged about 26 years, s/o. Thanaraj, 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.,)
23.03.2026

Index : Yes / No

Internet : Yes / No

TSG

To

1.The Additional Chief Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat, Chennai-600 009.

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

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

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



4. 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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