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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.03.2026

CORAM

THE HON'BLE MR JUSTICE N. ANAND VENKATESH

AND

THE HON'BLE MR JUSTICE K.K.RAMAKRISHNAN

H.C.P.(MD)No.210 of 2026

C.Kala

.. Petitioner/Wife of the detenu

Vs.

- 1.The State of Tamilnadu,
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, Thoothukudi District.
- 3.The Superintendent of Prison,
Central Prison, Palayamkottai.
Tirunelveli 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.70 of 2025, dated 11.07.2025 on the file of the 2nd respondent herein and quash the same and direct the respondents to produce the detenue or body of the detenue namely the



petitioner's husband i.e., Chinnadurai, S/o. Chandran, aged about 34 years, now detained at the Central Prison, Palayamkottai 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 wife of the detenu, viz., Chinnadurai, S/o. Chandran, aged about 34 years. The detenu has been detained by the second respondent by his order in H.S.(M). Confdl. No.70 of 2025, dated 11.07.2025, 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.

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.



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3. Though several grounds have been raised in the Habeas Corpus Petition, one of the grounds urged by the learned counsel for the petitioner is that the Detaining Authority has stated that the remand of the detenu was extended up to 01.07.2025 and thereafter up to 15.07.2025, whereas the remand extension order does not form part of the paper book supplied to the detenu. Therefore, it was contended that the detention order has been passed without the necessary materials placed before the Detaining Authority.

4. We have carefully gone through the paper book that was furnished to the detenu. We find that only the Police memo seeking extension of remand is available and there is no material to substantiate the extension of remand up to 15.07.2025. Therefore, even in the absence of such material, the Detaining Authority has arrived at such a conclusion. Hence, the detention order stands vitiated.

5. In the result, the Habeas Corpus Petition is allowed and the order of detention in H.S.(M). Confdl. No.70 of 2025, dated 11.07.2025, passed by the second respondent is set aside. The detenu, viz., Chinnadurai, S/o.



Chandran, aged about 34 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.,)
26.03.2026

Index : Yes / No
Internet : Yes / No

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