



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 04.06.2026

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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.213 of 2026

Madhiyazhagan

.. Petitioner / Father of the detenu

Vs.

- 1.The Additional Chief Secretary to Government,
State of Tamil Nadu,
Home, Prohibition and Excise Department,
Fort St.George, Chennai-600 009.
- 2.The District Collector and District Magistrate,
Office of the District Collector and District Magistrate,
Sivagangai District, Sivagangai.
- 3.The Superintendent of Prison,
Madurai Central Prison,
Madurai District.

.. Respondents

Prayer :Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus, calling for the entire records connected with the detention order of the second respondent in Detention Order Cr.M.P.No. 110/Goonda/2025, dated 01.12.2025 and quash the same and direct the



respondents to produce the body or person of the detenu by name Arunpandi @ Vedha, S/o.Madhiyazhagan, aged 23 years, detained as Goonda at Madurai Central Prison before this Court and set him at liberty forthwith.

For Petitioner : Mr.S.Srikanth

For Respondents : Mr.G.Karuppasamy Pandiyan
Counsel for State of TN (CrI.Side)

ORDER

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

The petitioner is the father of the detenu, by name, Arunpandi @ Vedha, S/o. Madhiyazhagan, aged 23 years. The detenu has been detained by the second respondent by his order in Detention Order Cr.M.P.No. 110/Goonda/2025, dated 01.12.2025, 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 Counsel for State of TN (CrI.Side) appearing for the respondents. We have also perused the records produced by the Detaining Authority.



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3. Apart from the other grounds raised by the learned counsel for the petitioner, one of the main ground that was urged is that the Detaining Authority was aware of the fact that no bail petition had been filed by the detenu; however, it proceeded to rely upon the order passed in Cr.M.P.No. 1613 of 2025, dated 28.01.2025 and came to the conclusion that, in a similar case, bail had been granted and therefore, there was likelihood of the detenu coming out on bail. The learned counsel submitted that the order that was relied upon by the Detaining Authority did not arise out of a similar case and therefore, the detention order suffers from non-application of mind.

4. We have carefully gone through the order passed in Cr.M.P.No. 1613 of 2025, dated 28.01.2025. Bail was granted in that case since the co-accused was released on bail. That apart, the Court also took into consideration the incarceration suffered by the accused therein and the nature of the allegations made. Hence, the order that was relied upon by the Detaining Authority certainly does not arise out of a similar case and, hence, the detention order passed by the second respondent, dated 01.12.2025, 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 Cr.M.P.No.110/Goonda/2025, dated 01.12.2025, passed by the second respondent is set aside. The detenu, viz., Arunpandi @ Vedha, S/o. Madhiyazhagan, aged 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.)
04.06.2026

Index : Yes / No
Internet : Yes / No
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To

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- 2.The District Collector and District Magistrate,
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- 3.The Superintendent of Prison,
Madurai Central Prison,
Madurai 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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