



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 09.04.2026

CORAM

THE HON'BLE MR JUSTICE N.ANAND VENKATESH

AND

THE HON'BLE MR JUSTICE K.K.RAMAKRISHNAN

H.C.P.(MD)No.290 of 2026

Valarmathi

.. Petitioner / Mother of the detenu

Vs.

1.The State of Tamilnadu,
Represented by the Additional Chief Secretary to Government,
Home, (Prohibition and Excise Department),
Secretariat, Chennai - 9.

2.The District Collector/District Magistrate,
Collectorate, Theni, Theni District.

3.The Superintendent of Central Prison,
Central Prison, Madurai,
Madurai 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 No.50 of 2022, dated 08.10.2025 passed by the second respondent on petitioner's son namely Yogesh, S/o.Venkadasamy, aged



about 21 years, has been detained and branded as Goonda under the Tamilnadu Prevention of Dangerous Activities of Boot-Leggers, Drug Offenders, Forest Offenders, Goondas Act and confined at Central Prison, Madurai District, before this Court and set him at liberty forthwith.

For Petitioner : Mr.Kumaran.K

For Respondents : Mr.A.Thiruvadikumar
Additional Public Prosecutor

ORDER

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

The petitioner is the mother of the detenu, by name, Yogesh, S/o.Venkadasamy, aged about 21 years. The detenu has been detained by the second respondent by his order in Detention Order No.50 of 2022, dated 08.10.2025 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.



3. Apart from the other grounds raised by the learned counsel appearing for the petitioner, one of the main ground that was raised is that the Detaining Authority has mentioned in the detention order that secret information had been received that the relatives of the detainee are making arrangements for filing a bail petition. However, there was no material available before the Detaining Authority to reach such a conclusion and therefore, it was contended that the order suffers from non-application of mind.

4. There is a specific mention by the Detaining Authority that secret information had been received that the relatives of the detainee are making arrangements for filing a bail petition. No statement has been recorded and no materials have been placed before the Detaining Authority to reach such a conclusion. Hence, the detention order suffers from non-application of mind.

5. In the result, the Habeas Corpus Petition is allowed and the order of detention in No.50 of 2022, dated 08.10.2025, passed by the second respondent is set aside. The detenu, viz., Yogesh, S/o.Venkadasamy, 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.,)
09.04.2026

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 - 9.
- 2.The District Collector/District Magistrate,
Collectorate, Theni, Theni District.
- 3.The Superintendent of Central Prison,
Central Prison, Madurai,
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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