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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.04.2026

CORAM

THE HON'BLE MR JUSTICE N. ANAND VENKATESH

AND

THE HON'BLE MR JUSTICE K.K.RAMAKRISHNAN

H.C.P.(MD)No.260 of 2026

Latha

.. Petitioner / mother of the
detenu

Vs.

1.The State of Tamil Nadu,
represented by
the Principal Secretary to Government,
Home, Prohibition and Excise Department,
Fort St.George, Chennai-600 009.

2.The Commissioner of Police,
Trichy District,
Trichy.

3.The Superintendent of Prison,
Trichy Central Prison, Trichy.

4.The Inspector of Police,
Gandhi Market Police Station,
Trichy District.

.. Respondents



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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 impugned order of detention made in C.No.83/Detention/C.P.O/TC/2025 dated 15.11.2025 on the file of the Commissioner of Police, Trichy District, the second respondent herein, branded the petitioner's husband / the detenu by name, Rajadurai @ Velu Manja Velu, S/o. Selvaraj, aged about 27 years, as “Goonda” who is now confined in Central Prison, Tiruchy and quash the impugned order of detention and set the petitioner at liberty by producing him before this Court.

For Petitioner : Mr.T.J.Ebenezer Charles

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, Rajadurai @ Velu Manja Velu, S/o. Selvaraj, aged about 27 years. The detenu has been detained by the second respondent by his order in C.No. 83/Detention/C.P.O/TC/2025 dated 15.11.2025 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.



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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. 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 detenu was arrested on 20.10.2025, whereas, the detention order was passed only on 15.11.2025. There is a delay of 26 days in passing the detention order and this delay is totally unexplained.

4. In our considered view, the issue is squarely covered by the judgment of the Hon'ble Apex Court in the case of ***Sushanta Kumar Banik Vs. State of Tripura and Others*** reported in ***2022 SCC Online SC 1333***.

5. The detention order is vitiated due to the fact that there was a solitary case and the live and proximate link between the grounds of detention and the purpose of the detention is completely absent. Hence, this Court is inclined to interfere with the detained order passed by the second respondent.



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6. In the result, the Habeas Corpus Petition is allowed and the order of detention in C.No.83/Detention/C.P.O/TC/2025 dated 15.11.2025 passed by the second respondent is set aside. The detenu, viz., Rajadurai @ Velu Manja Velu, S/o. Selvaraj, aged about 27 years, is directed to be released forthwith unless her detention is required in connection with any other case.

(N.A.V.,J..) (K.K.R.K.,J.)
21.04.2026

Index : Yes / No

Internet : Yes / No

TSG

To

1.The Principal Secretary to Government,
Home, Prohibition and Excise Department,
Fort St.George, Chennai-600 009.

2.The Commissioner of Police,
Trichy District,
Trichy.

3.The Superintendent of Prison,
Trichy Central Prison, Trichy.

4.The Inspector of Police,
Gandhi Market Police Station,
Trichy District.



5. 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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