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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.04.2026

CORAM

THE HON'BLE MR JUSTICE N. ANAND VENKATESH

AND

THE HON'BLE MR JUSTICE K.K.RAMAKRISHNAN

H.C.P.(MD)No.357 of 2026

Leela

.. Petitioner / mother of the
detenu

Vs.

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

2.The District Collector,
District Collector Office,
Ramavarmapuram,
Nagercoil,
Kanyakumari District.

3.The Superintendent of Prison,
Tirunelveli District,
Palayamkottai Central Prison,
Tirunelveli 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 detention order passed by the second respondent vide her proceedings reference no. PD. No. 40 of 2025 (Tha.Ka. No. 40 of 2025) dated 27.11.2025 and quash the same as illegal and direct the respondents to produce the body or person of the detenu by name Sathish Kumar @ Satson, s/o Isayian, aged about 44 years old, now presently confined at Palayamkottai Central Prison, Tirunelveli District before this Court and set him at liberty.

For Petitioner : Mr.Niranjan S.Kumar

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, Sathish Kumar @ Satson, s/o Isayian, aged about 44 years. The detenu has been detained by the second respondent by his order in reference no. PD. No. 40 of 2025 (Tha.Ka. No. 40 of 2025) dated 27.11.2025 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.



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 27.10.2025, whereas, the detention order was passed only on 27.11.2025. There is a delay of 31 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.



(N.A.V.,J..) (K.K.R.K.,J.,)
29.04.2026

<https://www.mhc.tn.gov.in/judis>



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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