



HCP(MD). No.402 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 10/06/2026

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THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH
AND
THE HONOURABLE MR. JUSTICE K.K. RAMAKRISHNAN

HCP(MD). No.402 of 2026

Abdul Rahman,

... Petitioner

Vs

1. The State of Tamilnadu, Rep,
By its the Additional Chief Secretary to Government,
State of Tamilnadu,
Home, Prohibition and Excise(Xiv) Department,
Fort.St.George,
Chennai 6.

2. The District Magistrate and District Collector,
O/o.The District Magistrate and District Collector,
Dindigul District,
Dindigul.

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

... 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

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with the detention order of the R2 in detention order No.70/2025 dated 15.11.2025 and quash the same and direct the respondents to produce detenu by name, Abdul Rahman, S/o.Akbar Ali, aged 21 Years, now confining at Madurai Central Prison, before this Court and set him at liberty forthwith.

For Petitioner : Dr.R.Alagumani,
For Respondents : Mr.G.Karuppasamy Pandian,
Government Advocate (Crl.Side)

ORDER

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

The petitioner is the detenu, by name, Abdul Rahman, S/o.Akbar Ali, aged 21 Years. The detenu has been detained by the second respondent by his detention order No.70/2025 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.

2. We have heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the



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respondents. We have also perused the records produced by the Detaining Authority.

3. Apart from the other grounds raised by the learned counsel for the petitioner, one of the main ground that was raised is that the Detaining Authority was aware of the fact that no bail petition had been filed by the detenu. But however, the Detaining Authority has taken into consideration the order that was passed in Cr.M.P.No.513 of 2025 and came to the conclusion that in a similar case, bail has been granted and therefore, there is likelihood of the detenu coming out on bail. The learned counsel for the petitioner submitted that the order that has been relied upon does not arise out of a similar case and therefore, the detention order suffers from non-application of mind.

4. Per contra, Mr.G.Karuppasamy Pandian, learned Government Advocate (Crl.Side) appearing for the respondents submitted that in the case in hand, the victim boy has been sexually abused by the detenu and another and the gruesome act has also been videographed. The investigation is completed, but however, the report from the FSL is



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awaited. It is also submitted that the co-accused was granted anticipatory bail in this case by this Court.

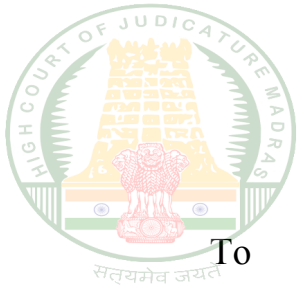
5. We have carefully gone through the order passed in Cr.M.P.No. 513 of 2025. That was a case where there was a love affair between the defacto complainant and the accused therein and they had sexual relationship. Apart from that, the co-accused was granted bail. Hence, this Court took into consideration those facts and also the incarceration suffered by the accused therein and granted bail. The order that was relied upon certainly does not arise out of a similar case. Hence, the detention order suffers from non-application of mind.

6. In the result, the Habeas Corpus Petition is allowed and the detention order No.70/2025 dated 15.11.2025, passed by the second respondent is set aside. The detenu, viz., Abdul Rahman, S/o.Akbar Ali, aged 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..)

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Internet : Yes / No
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**N. ANAND VENKATESH,J.
AND
K.K.RAMAKRISHNAN,J.**

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**ORDER
IN
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Date : 10/06/2026