



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 15.04.2026

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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.359 of 2026

D.Shanmugapriya

.. Petitioner / Wife of the detenu
Vs.

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

2.The District Collector and District Magistrate,
Tenkasi District, Tenkasi.

3.The Superintendent,
Central Prison,
Palayamkottai,
Tirunelveli.

.....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 pertaining to the proceedings of the second respondent made in his proceedings in M.H.S.Confdl No.74/2025 dated 30.09.2025 on the file of the second respondent herein and quash the same and direct the respondents to produce



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the detenu or body of the detenu namely the petitioner's husband, i.e., Devanesan @ Deva, aged about 27 years, s/o. Senthattikalaipandian, now detained at the Central Prison, Palayamkottai, before this Court and set him at liberty.

For Petitioner : Mr.N.Pragalathan
For Respondents : Mr.A.Thiruvadikumar
Additional Public Prosecutor

ORDER

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

The petitioner is the wife of the detenu viz., Devanesan @ Deva, aged about 27 years, s/o. Senthattikalaipandian. The detenu has been detained by the second respondent by his order in M.H.S.Confdl No.74/2025 dated 30.09.2025 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.



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3. Apart from the other grounds that were raised by the learned counsel appearing for the petitioner, one of the main ground that was raised by the learned counsel appearing for the petitioner is that the Detaining Authority while relying upon the bail order passed in CrI.M.P.No.3689 of 2021 has relied upon the English version of the order and whereas in the paper book that was served on the detenu, the Tamil version did not contain the entire translation of the order and hence, the detenu was not able to make an effective representation.

4. On carefully going through the Tamil version of the order that is available in page no.241 of the paper book, it is seen that the bail order has not been translated completely and that the most relevant portions of the bail order has not even been translated. Hence, the detenu was not in a position to make an effective representation. As a consequence, the detention order stands vitiated.

5. In the result, the Habeas Corpus Petition is allowed and the order of detention in M.H.S.Confdl No.74/2025 dated 30.09.2025 passed by the



second respondent is set aside. The detenu, viz., Devanesan @ Deva, aged

about 27 years, s/o. Senthattikalaipandian, 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.,)
15.04.2026

Index : Yes / No

Internet : Yes / No

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To

1.The Additional Chief Secretary to Government,
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2.The District Collector and District Magistrate,
Tenkasi District, Tenkasi.

3.The Superintendent,
Central Prison,
Palayamkottai,
Tirunelveli.

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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