



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 08.06.2026

CORAM

THE HON'BLE MR JUSTICE N.ANAND VENKATESH

AND

THE HON'BLE MRS JUSTICE S.SRIMATHY

H.C.P.(MD) No.388 of 2026

Vijay

.. Petitioner /Detenu

Vs.

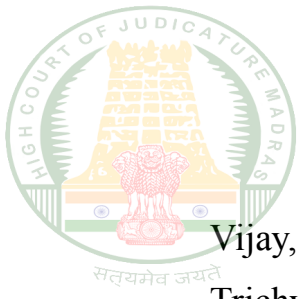
1.The State of Tamilnadu,
Represented by the Principal Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat, Chennai - 600 009.

2.The Commissioner of Police,
Office of the Commissioner,
Tiruchirapalli.

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

.. 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 with the detention order of the respondent no.2 in C.No. 90/Detention/C.P.O/TC/2025 dated 08.12.2025 and quash the same and direct the respondents to produce the body or person of the detenu by name



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Vijay, son of Sahayaraj, aged about 23 years, now detainee as Goonda at Trichy Central Prison before this Court and set him at liberty forthwith.

For Petitioner : Dr.R.Alagumani

For Respondents : Mr.G.Karuppasamy Pandiyan
Counsel for State of TN (Crl.Side)

ORDER

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

The petitioner is the detenu, by name, Vijay, son of Sahayaraj, aged about 23 years. The detenu has been detained by the second respondent by his order in C.No. 90/Detention/C.P.O/TC/2025 dated 08.12.2025, 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 Counsel for State of TN (Crl.Side) 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 raised by the learned counsel for the petitioner, one of the main ground that was raised is that there were no adverse cases and that the ground case was for offences under Section 296(b), 118(1) and 109 of the BNS, 2023 and that the detention order came to be passed by the respondents for a solitary offence.

4. Per contra, the learned Counsel for State of TN (Crl.Side) appearing for the respondents submitted that considering the criminal act of the detenu, which resulted in a disturbance to public order, the detention order came to be passed.

5. We have carefully considered the submissions made on either side and the materials available on record. In the case on hand, it was a solitary case without there being any adverse cases against the detenu. Even for a single incident, a detention order can be passed under Act 14 of 1982 if it has the propensity to affect public order. In the case on hand, the alleged incident is said to have taken place pursuant to a wordy quarrel between two parties, which ultimately resulted in an attack made with an iron rod. This incident certainly may not result in affecting public tranquillity and can be



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dealt with as a law and order issue. Useful reference can be made to the

judgment in ***K.K.Saravana Babu v. State of Tamil Nadu, reported in 2008***

9 SCC 89. Hence, this Court does not find any justification for the Detaining Authority passing the detention order for a solitary incident.

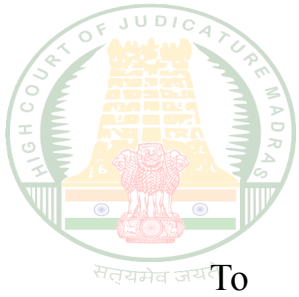
6. In the result, the Habeas Corpus Petition is allowed and the order of detention in C.No. 90/Detention/C.P.O/TC/2025 dated 08.12.2025 passed by the second respondent is set aside. The detenu, viz., Vijay, son of Sahayaraj, aged about 23 years, is directed to be released forthwith unless his detention is required in connection with any other case.

(N.A.V.,J..) (S.S.Y.,J.,)
08.06.2026

Index : Yes / No

Internet : Yes / No

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2. The Commissioner of Police,
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Tiruchirapalli.
3. The Superintendent of Prison,
Central Prison, Tiruchirappalli.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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**N.ANAND VENKATESH,J.
AND
S.SRIMATHY,J.**

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