



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 04.06.2026

CORAM

THE HON'BLE MR JUSTICE N.ANAND VENKATESH

AND

THE HON'BLE MR JUSTICE K.K.RAMAKRISHNAN

H.C.P.(MD)No.444 of 2026

Syed Ali

.. Petitioner / Father of the
detenu

Vs.

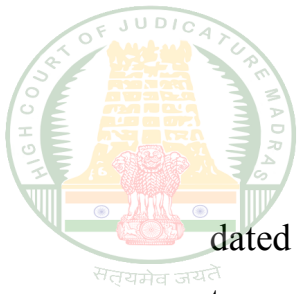
1.The State of Tamil Nadu,
Represented by its the Principal Secretary to Government,
Home, Prohibition and Excise Department,
Fort St.George, Chennai-600 004.

2.The District Collector and District Magistrate,
Tenkasi District,
Tenkasi-627 811.

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

.. Respondents

Prayer :Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus, to call for the records pertaining to the Detention Order passed by the 2nd Respondent in Order No.MHS. Confdl No.99/2025,



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dated 16.12.2025 and quash the same as illegal and direct the Respondents to produce the body or person of the detenu namely Abubucker, S/o.Seyadali, aged about 22 years (now detained at Central Prison, Palayamkottai) before this Court and set him at liberty.

For Petitioner : Mr.G.Anto Prince
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 father of the detenu, by name, Abubucker, S/o.Seyadali, aged about 22 years. The detenu has been detained by the second respondent by his order in M.H.S.Confdl No.99/2025, dated 16.12.2025 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 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 raised by the learned counsel appearing for the petitioner, one of the main ground that was raised is that the detinue was arrested on 22.11.2025 and the detention order was passed on 16.12.2025 and there is a delay of 25 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.

6. In the result, the Habeas Corpus Petition is allowed and the order of detention in M.H.S.Confdl No.99/2025, dated 16.12.2025, passed by the



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second respondent is set aside. The detenu, viz., Abubucker, S/o.Seyadali, aged about 22 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.,)
04.06.2026

Index : Yes / No
Internet : Yes / No

Indu

To

- 1.The Principal Secretary to Government,
Home, Prohibition and Excise Department,
Fort St.George, Chennai-600 004.
- 2.The District Collector and District Magistrate,
Tenkasi District,
Tenkasi-627 811.
- 3.The Superintendent,
Central Prison,
Palayamkottai,
Tirunelveli District.
- 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.**

Indu

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