



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 02.06.2026

CORAM

THE HON'BLE MR JUSTICE N. ANAND VENKATESH

AND

THE HON'BLE MR JUSTICE K.K.RAMAKRISHNAN

H.C.P.(MD)No.535 of 2026

M.Mahalakshmi

.. Petitioner / wife of the
detenu

Vs.

1.The State of Tamilnadu,
Rep By,
The Principal Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat,
Fort St.George,
Chennai - 9.

2.The Commissioner of Police,
O/o.The Commissioner of Police,
Tiruchirappalli City.

3.The Superintendent,
The Central Prison,
Tiruchirappalli.

.. 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 connected Detention



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Order in C.No.82/Detention/C.P.O/TC/2025 on 06.11.2025 and quash the same and direct the respondents to produce the body or person of petitioner's husband, namely, Madhankumar @ Attu Madhan, Male, aged about 27/2026, father of Ravichandran and detained at Central Prison, Tiruchirappalli and set him at liberty forthwith.

For Petitioner : Mr.S.Ramakrishnan

For Respondents : Mr.G.Karuppasamy Pandiyan,
Counsel for State of Tamil
Nadu, (Criminal Side)

ORDER

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

The petitioner is the wife of the detenu, by name, Madhankumar @ Attu Madhan, Male, aged about 27 years. The detenu has been detained by the second respondent by his order in C.No.82/Detention/C.P.O/TC/2025 on 06.11.2025 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 counsel for State of Tamil Nadu (Criminal Side) 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 is that the Detaining Authority was aware of the fact that the bail petition filed by the detenu was pending and in spite of the same, the Detaining Authority proceeded to rely upon the order passed in CrI.M.P.No.3085 of 2024 and came to a conclusion that bail was granted in a similar case and therefore, there is likelihood of the detenu coming out on bail. The learned counsel submitted that the order that was relied upon by the Detaining Authority does not arise out of a similar case.

4. We have carefully gone through the order passed in CrI.M.P.No. 3085 of 2024. That was a case where statutory bail was granted by the Court, since the investigation was not completed within a period of ninety days. In the case in hand, the arrest was made on 04.10.2025 and the detention order was passed on 06.11.2026 and certainly the order that was relied upon by the Detaining Authority does not arise out of a similar case. Consequently, the detention order suffers from non-application of mind.



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5. In the result, the Habeas Corpus Petition is allowed and the order of detention in C.No.82/Detention/C.P.O/TC/2025 on 06.11.2025 passed by the second respondent is set aside. The detenu, viz., Madhankumar @ Attu Madhan, Male, aged about 27 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.,)
02.06.2026

Index : Yes / No
Internet : Yes / No

TSG

To

1.The Principal Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat,
Fort St.George,
Chennai - 9.

2.The Commissioner of Police,
O/o.The Commissioner of Police,
Tiruchirappalli City.

3.The Superintendent,
The Central Prison,
Tiruchirappalli.

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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