



HCP(MD)No.589 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 05.01.2026

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

and

THE HONOURABLE MS.JUSTICE R.POORNIMA

HABEAS CORPUS PETITION(MD)No.589 of 2025

Stella

... Petitioner

vs.

1. The Principal Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat,
Chennai- 600 009

2. The Commissioner of Police
O/o. The Commissioner of Police
Tiruchirapalli District

3. The Superintendent
Central Prison,
Tiruchirapalli

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, calling for the entire records in detention order passed in C.No.50/Detention/C.P.O/T.C/2025 dated 13.05.2025 on the file of the second respondent herein and set aside the same as illegal and direct the respondents to produce the body or person of the petitioner's son namely Simon Kishore, S/o.John Louis , male aged



HCP(MD)No.589 of 2025

about 23 years who is detained in Central Prison, Tiruchirapalli before this Court and set him at liberty

For Petitioner : Mr.K.A.S. Prabhu

For Respondents: Mr.T.Senthil Kumar
Additional Public Prosecutor

ORDER

[Order of the Court was made by G.K.ILANTHIRAIYAN, J.]

This Habeus Corpus Petition has been filed to quash the detention order passed by the second respondent in C.No.50/ Detention/ C.P.O/T.C/2025 dated 13.05.2025 and direct respondents to produce the body or person of the petitioner's son namely Simon Kishore, S/o.John Louis , male aged about 23 years who is detained in Central Prison, Tiruchirapalli before this Court and set him at liberty

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.



HCP(MD)No.589 of 2025

3. The learned counsel appearing for the petitioner would submit that detenu was detained vide detention order dated 13.05.2025 and it was sent to the Government for approval only on 16.05.2025, thereby there was a delay in sending the order of detention for approval, which caused prejudice to the detenu. He further submitted that in the remand report, the sponsoring authority mentioned several cases, however the detaining authority mentioned only one adverse case and one ground case.

4.. On perusal of the records and on the submission made by the learned Additional Public Prosecutor along with counter it reveals that the detenu was convicted for the offences under Section 392 r/w. 397 and 506(ii) of IPC and sentenced to undergo three years imprisonment in C.C. No.1148 of 2025 by the learned Judicial Magistrate No.IV, Trichy on 31.12.2025. Aggrieved by the same, the detenu has not filed any appeal so far and therefore no purpose would be served if the detention order is quashed by this Court.



HCP(MD)No.589 of 2025

5. The detention order dated 13.05.2025 was communicated to the Government for its approval on 16.05.2025, therefore there was no delay while sending the detention order for its approval. Further the order of remand is not relied by the detaining authority while passing the detention order, therefore, this Court finds no infirmity or illegality in the order passed by the second respondent.

6. In the result, the Habeus Corpus Petition stands dismissed.

[G.K.I., J.] [R.P., J.]
05.01.2026

Index : Yes / No
Neutral Citation : Yes / No
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Chennai- 600 009
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O/o. The Commissioner of Police
Tiruchirapalli District
3. The Superintendent
Central Prison,
Tiruchirapalli
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
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