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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.06.2026

CORAM

THE HON'BLE MR JUSTICE N. ANAND VENKATESH

AND

THE HON'BLE MR JUSTICE K.K.RAMAKRISHNAN

H.C.P.(MD)No.603 of 2026

Fathima

.. Petitioner / Mother of the detenu
Vs.

1.State of Tamil Nadu,
represented by

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

2.The District Collector and District Magistrate,
Office of the District Collector and District Magistrate,
Tiruchirappalli.

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

4.The Superintendent of Prison,
Borstal School and District Prison,
Pudukkottai District.

.. Respondents



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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 order of detention dated 24.12.2025 passed by the second respondent in Cr.M.P.No. 119/2025 and quash the same and direct the respondents to produce the body or person of the detenu, by name, Rabeek Raja son of Abdul Malik, aged about 26 years, now detained as “Goonda” at Borstal School and District Prison, Pudukkottai before this Court and set him at liberty.

For Petitioner : Mr.Dr.R.Alagumani
For Respondents : Mr.G.Karuppasamy Pandian,
learned counsel for the State
of Tamil Nadu (Criminal
Side)

ORDER

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

The petitioner is the mother of the detenu, by name, A Rabeek Raja son of Abdul Malik, aged about 26 years. The detenu has been detained by the second respondent by his order in Cr.M.P.No.119/2025 dated 24.12.2025 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.



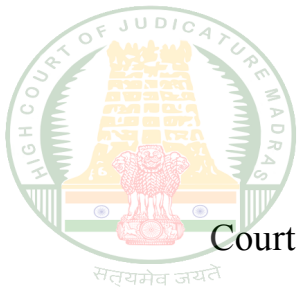
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2. We have heard the learned counsel appearing for the petitioner and the learned counsel for the State of Tamil Nadu (Criminal Side) appearing for the respondents. We have also perused the records produced by the Detaining Authority.

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 detenu was arrested on 28.11.2025, whereas, the detention order was passed only on 24.12.2025. There is a delay of 26 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



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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 Cr.M.P.No.119/2025 dated 24.12.2025 passed by the second respondent is set aside. The detenu, viz., Rabeek Raja son of Abdul Malik, aged about 26 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.)
16.06.2026

Index : Yes / No

Internet : Yes / No

TSG

To

- 1.The Additional Chief Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat,
Chennai-600 009.
- 2.The District Collector and District Magistrate,
Office of the District Collector and District Magistrate,
Tiruchirappalli.
- 3.The Superintendent of Prison,
Trichirappalli Central Prison,
Trichirappalli.



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4. The Superintendent of Prison,
Borstal School and District Prison,
Pudukkottai District.

5. 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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