



H.C.P.(MD)No.617 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.01.2026

CORAM:

THE HONOURABLE MR JUSTICE G.K. ILANTHIRAIYAN

AND

THE HONOURABLE MS.JUSTICE R. POORNIMA

H.C.P.(MD)No.617 of 2025

J.Thasan

... Petitioner

-VS-

- 1.State of Tamil Nadu,
Rep. by the Additional Chief Secretary to Government,
Home (Prohibition and Excise) Department,
Secretariat,
Chennai-9.
 - 2.The District Collector and District Magistrate,
Thoothukudi District,
Thoothukudi.
 - 3.The Superintendent of Prison,
Central Prison,
Palayamkottai,
Tirunelveli.
 - 4.The Superintendent,
District Jail,
Perurani,
Thoothukudi District.
- ... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus, calling for the entire records connected with the detention order passed in H.S(M)Confdl.No.48 of 2025, dated 22.05.2025 on the file of the second respondent herein and quash the same and direct the respondents to produce the detenu or body of the detenu namely the petitioner's son i.e., Nackson, aged about 20 years, S/o.Thasan, now detained at the District Jail, Perurani, Thoothukudi District, before this Court and set him at liberty forthwith.

For Petitioner : Mr.N.Pragalathan

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

ORDER

(Order of the Court was made by **G.K. ILANTHIRAIYAN,J.**)

The petitioner is the father of the detenu viz., Nackson, son of Thasan, aged about 20 years. The detenu has been detained by the second respondent by his order in H.S.Confdl.No.48/2025, dated 22.05.2025 holding him to be a "Goonda", as contemplated under Section 2(f) of 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 Additional Public Prosecutor appearing for the respondents. We have also perused the records produced by the Detaining Authority.

3. The learned counsel for the petitioner raised the grounds that there was a delay in sending the order of detention to the Government for approval. The detenu was detained under Act 14 of 1982 by an order dated 22.05.2025, but it was sent to the Government for approval on 25.05.2025 and the same was received by the Government on 26.05.2025.

4. On perusal of the records revealed that though the detention order was passed on 22.05.2025 in between 22.05.2025 to 25.05.2025 two days holidays and therefore, it cannot be said that there was a delay in sending the order of detention to the Government for its approval.



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5. In view of the above, this Court finds no infirmity or illegality in the detention order and hence, this Habeas Corpus Petition is dismissed.

[G.K.I., J.] [R.P., J.]
08.01.2026

am

NCC :Yes/No

Index: Yes/No

Internet: Yes/No

To

- 1.The Additional Chief Secretary to Government,
Home (Prohibition and Excise) Department,
Secretariat, Chennai-9.
- 2.The District Collector and District Magistrate,
Thoothukudi District, Thoothukudi.
- 3.The Superintendent of Prison,
Central Prison, Palayamkottai,
Tirunelveli.
- 4.The Superintendent,
District Jail, Perurani,
Thoothukudi District.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.K. ILANTHIRAIYAN,J.
AND
R. POORNIMA,J.

am

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