



H.C.P.(MD)No.772 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.772 of 2025

Raja

... Petitioner

-VS-

1.State represented by

The Principal Secretary to Government,
Home (Prohibition and Excise) Department,
Secretariat,
Chennai-9.

2.The District Collector and District Magistrate,
Collector's Office,
Tirunelveli District.

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

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus, calling for the records from the second respondent in M.H.S.Confdl.No.58 of 2025, dated 22.05.2025 by



H.C.P.(MD)No.772 of 2025

setting aside the said order of detention passed by the second respondent and setting the detenu Masanam Alias Ajithkumar, S/o.Raja, aged about 26 years at liberty now detained in the Central Prison, Palayamkottai.

For Petitioner : Mr.R.Muthuram

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., Masanam alias Ajithkumar, son of Raja, aged about 26 years. The detenu has been detained by the second respondent by his order in M.H.S.Confdl.No. 58/2025, dated 22.05.2025 holding him to be a "Sexual Offender", as contemplated under Section 2(ggg) of 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.



H.C.P.(MD)No.772 of 2025

WEB COPY

3. The learned counsel for the petitioner raised a ground that the petitioner was arrested and remanded to judicial custody on 23.04.2025, but the detention order was passed only on 22.05.2025 and hence, there was a delay in passing the detention order.

4. On perusal of the records and also the submission made by the learned Additional Public Prosecutor appearing for the respondents revealed that the petitioner was arrested on 23.04.2025 and immediately, within a period of 30 days, the detaining authority passed the detention order.

5. The petitioner has committed very serious and heinous offence as against the mentally retarded woman. In fact, earlier, he is also committed the very same offence as against the very same woman and in that case, he is facing trial. While pending trial in that case, once again the petitioner committed the very same offence. Therefore, the sponsoring authority ought to have collect all the medical records and thereafter, sponsored the name of the detenu to the detaining authority.



H.C.P.(MD)No.772 of 2025

WEB COPY

Therefore, it cannot be construed as any delay in passing the detention order.

6. 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



H.C.P.(MD)No.772 of 2025

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To

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Tirunelveli District.
- 3.The Superintendent of Prison,
Central Prison,
Palayamkottai,
Tirunelveli District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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AND
R. POORNIMA,J.

am

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