



HCP(MD)No.863 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Dated: 04/02/2026

CORAM

THE HONOURABLE **MR JUSTICE G.K.ILANTHIRAIYAN**
AND
THE HONOURABLE **MS JUSTICE R.POORNIMA**

HCP(MD)No.863 of 2025

Jayakumar : Petitioner/Father of the Detenu

Vs.

State of Tamil Nadu Rep. By,

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

2.The District Collector and District Magistrate,
Thanjavur District,
Thanjavur.

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

: Respondents

Prayer:- This Habeas Corpus Petition is filed under Article 226 of the Constitution of India, to call for the records pertaining to the impugned detention order passed by the 2nd respondent made in his proceedings in P.D.No.39 of 2025, dated 05/07/2025 in detaining the detenu under Section 2(ggg) of the Tamil Nadu Act 14 of 1982 as a Sexual Offender and quash the same and direct the respondents to produce the Detenu namely Ajai, S/o.Jayakumar, male, aged about 23 years, who is detained



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at Central Prison, Tiruchirappalli, before this Court and set him at liberty and pass such other orders.

For Petitioner : Mr.M.Karunakaran

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

ORDER

(Order of the Court was made by the Hon'ble **G.K.ILANTHIRAIYAN.J.**)

The petitioner is the father of the detenu. The detenu has been detained by the second respondent, by passing the order in P.D No.39 of 2025, dated 05/07/2025 holding him to be a “Sexual Offender” as contemplated under Section 2(ggg) 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 Additional Public Prosecutor appearing for the respondents. We have also perused the records produced by the Detaining Authority.

3.The detenu was arrested, on 10/06/2025 and remanded to judicial custody in pursuant to the registration of the FIR in Crime No.13 of 2025



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on the file of the Papanasam All Women Police Station, for the offences punishable under Sections 5(k), 5(m), 6, 9(m), 9(k) r/w 10 of POCSO Act. Thereafter, the Investigating Officer recommended the detenu/accused for detaining him under Act 14 of 1982 and accordingly, the Detaining Authority detained the detenu under Act 14 of 1982, by the impugned order, dated 05/07/2025.

4.The only ground raised by the learned counsel for the petitioner is that the detenu was arrested and remanded to judicial custody on 10/06/2025 pursuant to the registration of FIR in Crime No.13 of 2025 on the file of the Papanasam All Women Police Station, for the offences punishable under Sections 5(k), 5(m), 6, 9(m), 9(k) r/w 10 of POCSO Act, however, the detention order was passed only on 05/07/2025.

5.On perusal of the counter affidavit filed by the second respondent and on the submissions made by the learned Additional Public Prosecutor reveals that the detenu has committed very serious and heinous offence against the minor victim girl and there are formalities to be complied with by the prosecution. Therefore, the delay in passing the impugned order by the Detaining Authority cannot be constructed as an unexplained delay.



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6. In view of the above, this Court finds no ground to interfere with the impugned order of detention passed by the Detaining Authority.

Accordingly, this Habeas Corpus Petition is **dismissed**.

(G.K.I., J.) (R.P., J.)
04-02-2026

Index: Yes/No
Internet: Yes/No
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