



H.C.P.(MD)No.1056 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :27.01.2026

CORAM:

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

H.C.P.(MD)No.1056 of 2025

Bakkiyam

... Petitioner

-VS-

State of Tamil Nadu

1. The Additional Chief Secretary to Government,
Home, Prohibition and Excise Department,
St. George Fort,
Chennai-600 009.

2.The District Magistrate and District Collector
Office of the Collectorate Building,
Pudukottai District

3.The Superintendent of Prison,
Central Prison,
Tiruchirapalli

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus, calling for the records relating to the detention order passed by the second respondent in PDO No.20 of 2025 dated 28.06.2025 and quash the same and direct the



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respondents to produce the body or person of the detenu namely Mukilan, son of the Murugan aged about 31 years now detained at Central Prison, Trichy) before this Court and set him at liberty.

For Petitioner : Mr.D.S.Haroon Rasheed.

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 mother of the detenu viz., Mukilan, son of the Murugan aged about 31 years . The detenu has been detained by the second respondent by his order in Detention order in PDO No.20 of 2025 dated 28.06.2025 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.

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.



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3. The learned counsel appearing for the petitioner raised a ground that the detenu was arrested and remanded to judicial custody on 05.06.2025 in pursuance to the registration of the First Information Report in Crime No. 155 of 2025 for the offences under Sections 191(2), 296(b), 103(1) and 351(3) of BNS, therefore the detenu was branded as Goonda and detained under Act.14 of 1982 on 28.6.2025. The detenu was served with the grounds of detention on 29.06.2025 and thereafter the petitioner was served with a booklet on 03.07.2025, thereby there was delay in serving in relied document to the detenu, as such the detenu could not able to make effective representation to reconsider the order of detention. That apart the detention order was passed on 28.06.2025 which was sent to the Government for its approval only on 03.07.2025, thereby there was an unexplained delay of five days which is in clear violation of Section 3(3) of the Tamil Nadu Goondas Act, 14 of 1982.

4. It is relevant to extract the Section 3(3) of the Tamil Nadu Act 14 of 1982:-



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by the second respondent is set aside. The detenu, viz., Mukilan, son of the Murugan aged about 31 years, is directed to be released forthwith unless his detention is required in connection with any other case.

[G.K.I., J.] [R.P., J.]
27.01.2026

NCC :Yes/No
Index: Yes/No
Internet: Yes/No
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To

1. The Additional Chief Secretary to Government,
Home, Prohibition and Excise Department,
St. George Fort,
Chennai-600 009.

2.The District Magistrate and District Collector
Office of the Collectorate Building,
Pudukottai District

3.The Superintendent of Prison,
Central Prison,
Tiruchirapalli

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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