



H.C.P.(MD)No.1098 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.02.2026

CORAM:

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

H.C.P.(MD)No.1098 of 2025

S.Mercy

... Petitioner/
Wife of the Detenu

-VS-

- 1.The Additional Chief Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat, Chennai - 600 009.
- 2.The District Collector and District Magistrate,
Tirunelveli
Tirunelveli District.
- 3.The Inspector of Police
Ambasamudram
All Women Police Station
Tirunelveli District.
- 4.The Additional Superintendent of Prison,
District Jail,
Palayamkottai,
Tirunelveli 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 pertaining to the detention order in M.H.S.Confdl. No.88/2025 dated 28.07.2025 passed by the second respondent and set aside the same by setting the detenu, namely, Selvam, s/o. Savarimuthu, aged 44/2025 years and set him at liberty, now detained at Central Prison, Palayamkottai.

For Petitioner : Mr.K.Sivabalan
for M/s.Aran Legal Consultancy

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 wife of the detenu viz., Selvam, son of Savarimuthu, aged about 44 years. The detenu has been detained by the second respondent by his order in M.H.S.Confdl. No.88/2025 dated 28.07.2025 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.



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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 28.07.2025, but it was sent to the Government for approval on 01.08.2025 and the same was received by the Government on 02.08.2025.

4. On perusal of the records revealed that there is only three days in between the same 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.]

10.02.2026

apd

NCC :Yes/No

Index: Yes/No

Internet: Yes/No



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Tirunelveli District.
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District Jail,
Palayamkottai,
Tirunelveli District.
 - 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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AND
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