



H.C.P.(MD)No.1137 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**

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Sudalaikannu

... Petitioner

-VS-

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

2.The District Magistrate and District Collector
Tirunelveli District
Tirunelveli

3. The Inspector of Police
All Women Police Station,
Tirunelveli

4.The Superintendent of Prison,
Central Prison,
Palayamkottai

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India
praying to issue a Writ of Habeas Corpus, calling for the records

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pertaining to the detention order passed by the second respondent in his proceedings in MHS Confdl. No.76 of 2025 dated 27.06.2025 and quash the same as illegal and produce the detenu namely Balamurugan, son of Sudalaikannu, aged about 33 years, now he is detained in Central Prison, Palayamkottai before this Court and set him at liberty

For Petitioner : Mr.T.Lenin Kumar.

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., Balamurugan, son of Sudalaikannu, aged about 33 years. The detenu has been detained by the second respondent by his order in Detention order in P MHS Confdl. No.76 of 2025 dated 27.06.2025 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



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respondents. We have also perused the records produced by the Detaining Authority.

3. The learned counsel appearing for the petitioner raised a ground that the detenu was served with illegible copy of the remand order which is annexed in page no.61 of the booklet.

4. Further the detenu was arrested and remanded to judicial custody on 02.06.2025 in pursuance to the registration of the First Information Report in Crime No. 38 of 2025 for the offences under Sections 7 and 8 of the POCSO Act, therefore the detenu was branded as sexual offender and detained under Act.14 of 1982 on 27.06.2025, however it was sent to the Government for its approval on 02.07.2025. There was an unexplained delay in sending the detention order for its approval.

5. He further submitted that the detenu was not served with translated version of remand request order.



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6. On perusal of the records and also on perusal of the counter affidavit filed by the respondents along with the submission of the learned Additional Public Prosecutor it revealed that the detention order dated 27.06.2025 was sent to the Government and the same was received on 02.07.2025. 28.07.2025(Saturday) and 29.07.2025(Sunday) are holidays. On the next third working day it was sent to the Government for its approval and thereby there was no delay in sending the detention order for its approval.

7. On perusal of the page Nos.47 to 59 the request for remand was served to the detenu and it revealed that the cause title portion alone was in English but the subject matter is in Tamil. The order of remand was also in English but it was properly translated and served to the detenu.

8. In so far as illegible copy of the remand order dated 16.06.2025 is concerned, it is also legible and readable.



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9. In view of the same this Court finds no infirmity or illegality to quash the order of detention passed by the second respondent and the same is liable to be dismissed.

10. In the result, the Habeas Corpus Petition stands dismissed.

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

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

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Secretariat, St. George Fort,
Chennai-600 009.

2. The District Magistrate and District Collector
Tirunelveli District
Tirunelveli



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3. The Inspector of Police
All Women Police Station,
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4. The Superintendent of Prison,
Central Prison,
Palayamkottai

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



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