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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.03.2026

CORAM

THE HON'BLE MR JUSTICE N. ANAND VENKATESH

AND

THE HON'BLE MR JUSTICE P.DHANABAL

H.C.P.(MD)No.1303 of 2025

Janani

.. Petitioner / Wife of the detenu

Vs.

- 1.The State of Tamil Nadu,
Represented by the Principal Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat, Chennai - 9.
- 2.The Commissioner of Police,
O/o.The Commissioner of Police,
Thiruchirappalli City.
- 3.The Superintendent of Prison,
Thiruchirappalli Central Prison,
Thiruchirappalli.

.....Respondents

Prayer :Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus, to call for the entire records connected with the detention order of the Respondent No.2 in C.No. 66/Detention/C.P.O/TC/2025, dated 17.09.2025 and quash the same and



direct the respondents to produce the body or person of the detenu by name Sheikh Dawood, S/o.Ibrahim, aged about 35 years, now detained as Goonda at Trichy Central Prison, before this Court and set him at liberty forthwith.

For Petitioner : Mr.Dr.R.Alagumani

For Respondents : Mr.A.Thiruvadikumar
Additional Public Prosecutor

ORDER

(Order of the Court was made by N. ANAND VENKATESH,J.)

The petitioner is the wife of the detenu, viz., Sheikh Dawood, S/o. Ibrahim, aged about 35 years. The detenu has been detained by the second respondent by his order in C.No.66/Detention/C.P.O./TC/2025, dated 17.09.2025, holding him to be a “Goonda”, as contemplated under Section 2(f) 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.



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3. Apart from the other grounds raised by the learned counsel for the petitioner, one of the main grounds raised is that the Detaining Authority has mentioned in the detention order that the remand of the accused was extended up to 26.09.2025. To record such a finding, there is nothing available in the paper book to clearly show that the remand was extended by the concerned Court till 26.09.2025. Page No.35 of the paper book is not clear and even if such a remand extension order had been passed in English, the Tamil translation was not furnished to the detenu. Apart from that, at page No.40, what is available is only the report of the Prison Officer recording the fact that the remand was extended till 26.09.2025. Therefore, it was contended that the detention order is vitiated.

4. We have carefully gone through the request for extension of remand available at page No.35 of the paper book. We are not able to ascertain as to what order was passed by the concerned Court and what is visible is only the date, i.e., 26.09.2025. At page No.40 of the paper book, the Jail Officer of the Central Prison, Trichy, has recorded the fact that there was a remand extension till 26.09.2025. However, we are not able to find from the paper book any clear order of the concerned Magistrate extending



the remand till 26.09.2025. In the absence of the same, the Detaining Authority could not have come to the conclusion that the remand was extended till 26.09.2025. Accordingly, the impugned detention order is vitiated.

5. In the result, the Habeas Corpus Petition is allowed and the order of detention in C.No.66/Detention/C.P.O./TC/2025, dated 17.09.2025, passed by the second respondent is set aside. The detenu, viz., Sheikh Dawood, S/o. Ibrahim, aged about 35 years, is directed to be released forthwith, unless his detention is required in connection with any other case.

(N.A.V.,J..) (P.D.B.,J.,)
17.03.2026

Index : Yes / No
Internet : Yes / No

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O/o. The Commissioner of Police,
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 3. The Superintendent of Prison,
Thiruchirappalli Central Prison,
Thiruchirappalli.
 4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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**N. ANAND VENKATESH,J.
AND
P.DHANABAL,J.**

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