



HCP(MD). No.1308 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Dated : 12.02.2026

CORAM

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

H.C.P(MD). No.1308 of 2025

Sathya,

... Petitioner

Vs.

1. The State of Tamil Nadu,
Rep By, The Additional Chief Secretary
to Government,
Home, Prohibition and Excise Department,
Secretariat, Chennai - 9.

2. The District Collector and District Magistrate,
O/o.The District Collector and District Magistrate,
Trichirappalli.

3. The Superintendent of Prison,
Trichirappalli Central Prison,Trichy.

... Respondents

PRAYER :-Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus, to call for the entire records connected with the detention order of the Respondent No.2 in Cr.M.P.No.59/2025 dated 10.07.2025 and quash the same and direct the respondents to produce the body or person of the detenu by name Ganesh, S/o.Muniyappan, aged about 39 years, now detained as “Goonda” at Trichy Central Prison before this Court and set him at liberty forthwith.

1/4



HCP(MD). No.1308 of 2025

For Petitioner : Dr.R.Alagumani

For Respondent : 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., Ganesh, S/o.Muniyappan aged about 39 years . The detenu has been detained by the second respondent by his order in Detention order in Cr.M.P.No. 59/2025 dated 10.07.2025 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.

3. The learned counsel appearing for the petitioner raised a ground that there was a huge delay in considering the representation submitted by the detene to re-consider the order of detention.



HCP(MD). No.1308 of 2025

WEB COPY

4. The representation dated 29.07.2025 was received on 31.07.2025, however it was rejected only on 04.08.2025 and hence there was a delay of four days and on this sole ground alone the order of detention cannot be sustained and the same is liable to be quashed.

5. In the result, the Habeas Corpus Petition is allowed and the order of detention in in Cr.M.P.No.59/2025 dated 10.07.2025, passed by the second respondent is set aside. The detenu, viz., Ganesh, S/o.Muniyappan aged about 39 years, is directed to be released forthwith unless his detention is required in connection with any other case. However it is made clear that if any application filed by the detenu the trial Court is directed to consider the bail application on its own merits and in accordance without being influenced by any of the observation made in this order.

[G.K.I., J.] [R.P., J.]
12.02.2026

NCC :Yes/No
Internet: Yes/No
LS

3/4



WEB COPY



HCP(MD). No.1308 of 2025

G.K. ILANTHIRAIYAN,J.
AND
R. POORNIMA,J.

LS

TO

1. The Additional Chief Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat, Chennai - 9.

2. The District Collector and District Magistrate,
O/o.The District Collector and District Magistrate,
Trichirappalli.

3. The Superintendent of Prison,
Trichirappalli Central Prison,
Trichy.

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

H.C.P(MD) No.1308 of 2025

12.02.2026