



H.C.P.(MD)No.1325 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.12.2025

CORAM:

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

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Vaazhaipazathan @ Navaneethakrishnan ... Petitioner

-VS-

- 1.State of Tamil Nadu Rep. by its
The Additional Chief Secretary to Government,
Home, Prohibition and Excise Department,
Fort St. George, Chennai-600 009.
- 2.The District Magistrate and District Collector,
Office of the District Magistrate and District Collector,
Dindigul District, Dindigul.
- 3.The Superintendent of Prison,
Madurai Central Prison,
Madurai District. ... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus, calling for the entire records, connected with the detention order of the Respondent No.2 in Detention Order No.49/2025 dated 11.08.2025 and quash the same and direct the



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respondents to produce the detenu by name Vaazhaipazathan @ Navaneethakrishnan, son of Raja, aged about 35 years, now confining at Madurai Central Prison before this Court and set him at liberty forthwith.

For Petitioner : Mr.R.Alagumani
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 detenu viz., Vaazhaipazathan @ Navaneethakrishnan, son of Raja, aged about 35 years. The detenu has been detained by the second respondent by his order in Detention Order No.49/2025, dated 11.08.2025 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 would submit that the order of detention was passed on 11.08.2025. However, the detention order was sent to the Government for approval only on 16.08.2025. In this regard, he relied on Section 3(3) of the Tamil Nadu Goondas Act, 14 of 1982. Accordingly, the detaining authority has to send the order of detention for approval to the government forthwith.

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

“3(3) When any order is made under this section by an officer mentioned in sub-section (2), he shall forthwith report the fact to the State Government together with the grounds on which the order has been made and such other particulars as, in his opinion, have a bearing on the matter; and no such order shall remain in force for more than twelve days after the making thereof, unless, in the meantime, it has been approved by the State Government.”

5. It is seen from the records that in this case, the order of detention was passed on 11.08.2025 and the same was sent to the



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Government only on 16.08.2025. On this sole ground alone the order of detention cannot be sustained and the same is liable to be quashed.

6. In the result, the Habeas Corpus Petition is allowed and the order of detention in Detention Order No.49/2025, dated 11.08.2025, passed by the second respondent is set aside. The detenu, viz., Vaazhaipazathan @ Navaneethakrishnan, son of Raja, aged about 35 years, is directed to be released forthwith unless his detention is required in connection with any other case.

7. The trial Court is directed to dispose the bail application, if any filed by the detenu, on its own merits and in accordance with law, without influencing any of the observation made by this Court.

[G.K.I., J.] [R.P., J.]
09.12.2025

am
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,
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- 2.The District Magistrate and District Collector,
Office of the District Magistrate and District Collector,
Dindigul District, Dindigul.
- 3.The Superintendent of Prison,
Madurai Central Prison,
Madurai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy To

The Principal District Judge,
Dindigul District.



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

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