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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.03.2026

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THE HON'BLE MR JUSTICE N. ANAND VENKATESH

AND

THE HON'BLE MR JUSTICE P.DHANABAL

H.C.P.(MD)No.1423 of 2025

Muthulakshmi

.. Petitioner / mother of the detenu
Vs.

1.The Principal Secretary to Government,
State of Tamil Nadu,
Home, Prohibition and Excise Department,
Secretariat Chennai-600 009.

2.The Commissioner of Police,
City Police Office,
Tiruchirappalli-620 020.

3.The Superintendent of Prison,
Central Prison,
Trichy-620 020.

4.The Superintendent of Prison,
Borstal School and District Prison,
Pudukkottai.

.....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 passed by the second respondent vide her proceedings in C.No.65/Detention/C.P.O/TC/2025, dated 11.09.2025 and quash the same as illegal, void and direct the respondents to produce the body or person of detenu Kishore, S/o. Mahendran, aged 21 years, who has been termed as “Goonda” and now confined in Borstal School and District Prison, Pudukkottai, before this Court and set him at liberty.

For Petitioner : Mr.C.Karthikeyan

For Respondents : Mr.A.Thiruvadikumar
Additional Public Prosecutor

ORDER

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

The petitioner is the mother of the detenu viz., Kishore, S/o. Mahendran, aged 21 years. The detenu has been detained by the second respondent by his order in C.No.65/Detention/C.P.O/TC/2025, dated 11.09.2025 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.



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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. Though several grounds have been raised in the Habeas Corpus Petition, one of the ground that was raised by the learned counsel appearing for the petitioner is that the FIR was registered in the ground case for the offence under Section 307 IPC, only based on the Accident Register and the translated copy of the Accident Register was not furnished to the detenu in spite of the specific request made in the representation dated 26.11.2025. In view of the same, the detenu was not able to effectively raise grounds against the order of the detention

4. In our considered view, FIR was registered in the ground case in Crime No.321 of 2025 for the offence under Sections 296(b), 118(1) and 109 BNS, 2023. In order to include the offence under Section 109 BNS, one of the main document that is relied upon is the accident register, which contains the injuries sustained by the injured. A specific request was made in the representation dated 26.11.2025 seeking for the translated copy.



However, the same has not been furnished. This defeats the rights of the detenu to make effective representation.

5. In the result, the Habeas Corpus Petition is allowed and the order of detention in C.No.65/Detention/C.P.O/TC/2025, dated 11.09.2025 passed by the second respondent is set aside. The detenu, viz., Kishore, S/o. Mahendran, aged 21 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.)
02.03.2026

Index : Yes / No

Internet : Yes / No

TSG

To

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4. The Superintendent of Prison,
Borstal School and District Prison,
Pudukkottai.

5. 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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