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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.04.2026

CORAM

THE HON'BLE MR JUSTICE N. ANAND VENKATESH

AND

THE HON'BLE MR JUSTICE K.K.RAMAKRISHNAN

H.C.P.(MD)No.1478 of 2025

Raju Ram

.. Petitioner / brother of the
detenu

Vs.

- 1.The State of Tamil Nadu,
Rep by the Secretary to Government,
Home, Prohibition and Excise Department,
Fort St.George, Chennai -600 009.
- 2.The District Collector and District Magistrate,
Trichirappalli.
- 3.The Superintendent of Police,
Tiruchirappalli District.
- 4.The Superintendent,
Central Prison,
Tiruchirappalli District.
- 5.The Inspector of Police,
Samayapuram Police Station,
Tiruchirappalli District.

.. Respondents



Prayer :Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus, to call for the records relating to the detention order of the second respondent in Cr.M.P.No.95 of 2025 dated 31.10.2025 and quash the same and consequently direct the respondents herein to produce the detenu, viz., Kailash, s/o Shimburam, aged about 20 years, who is now confined in Central Prison, Trichirappalli, before this Court and set him at liberty.

For Petitioner : Mr.R.Thamarai Selvan
For Respondents : Mr.A.Thiruvadi Kumar
Additional Public Prosecutor

ORDER

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

The petitioner is the brother of the detenu, by name, Kailash, s/o Shimburam, aged about 20 years. The detenu has been detained by the second respondent by his order in Cr.M.P.No.95 of 2025, dated 31.10.2025 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. Apart from the other grounds raised by the learned counsel appearing for the petitioner, one of the main ground that was raised is that the detenu was arrested on 23.09.2025, whereas, the detention order was passed only on 31.10.2025. There is a delay of nearly 38 days in passing the detention order and this delay is totally unexplained.

4. In our considered view, the issue is squarely covered by the judgment of the Hon'ble Apex Court in the case of ***Sushanta Kumar Banik Vs. State of Tripura and Others*** reported in ***2022 SCC Online SC 1333***.

5. The detention order is vitiated due to the fact that there was a solitary case and the live and proximate link between the grounds of detention and the purpose of the detention is completely absent. Hence, this Court is inclined to interfere with the detained order passed by the second respondent.



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6. In the result, the Habeas Corpus Petition is allowed and the order of detention in Cr.M.P.No.95 of 2025, dated 31.10.2025, passed by the second respondent is set aside. The detenu, viz., Kailash, s/o Shimburam, aged about 20 years, is directed to be released forthwith unless his detention is required in connection with any other case.

(N.A.V.,J..) (K.K.R.K.,J.)
16.04.2026

Index : Yes / No

Internet : Yes / No

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5. The Inspector of Police,
Samayapuram Police Station,
Tiruchirappalli District.
6. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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**N. ANAND VENKATESH,J.
AND
K.K.RAMAKRISHNAN,J.**

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