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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.04.2026

CORAM

THE HON'BLE MR JUSTICE N.ANAND VENKATESH

AND

THE HON'BLE MR JUSTICE K.K.RAMAKRISHNAN

H.C.P.(MD)No.1429 of 2025

Nathiya

.. Petitioner/Mother of the detenu

Vs.

1.The State of Tamilnadu,
Represented by its the Additional Chief
Secretary to Government,
Home, Prohibition and Excise Department,
Fort St. George, Chennai-600 009.

2.The District Collector and District Magistrate,
District Collector and District Magistrate Office,
Thanjavur District.

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

.....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 P.D.No.55/2025, dated 14.10.2025 and quash the same and direct the respondents to produce the body or



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person of the detenue by name Sakthi @ Hariharan, son of Prabu, aged about 22 years, now detained as Goonda at Trichy Central Prison before this Court and set him at liberty forthwith.

For Petitioner : Mr.A.Arun Prasad
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., Sakthi @ Hariharan, son of Prabu, aged about 22 years,. The detenu has been detained by the second respondent by his order in P.D.No.55/2025, dated 14.10.2025, 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.



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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 there is a delay of 33 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.

6. In the result, the Habeas Corpus Petition is allowed and the order of detention in P.D.No.55/2025, dated 14.10.2025, passed by the second respondent is set aside. The detenu, viz., Sakthi @ Hariharan, son of Prabu, aged about 22 years, is directed to be released forthwith unless his detention



is required in connection with any other case.

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(N.A.V.,J..) (K.K.R.K.,J.)
06.04.2026

Index : Yes / No

Internet : Yes / No

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To

- 1.The Additional Chief Secretary to Government,
Home, Prohibition and Excise Department,
Fort St. George, Chennai-600 009.
- 2.The District Collector and District Magistrate,
District Collector and District Magistrate Office,
Thanjavur District.
- 3.The Superintendent of Prison,
Trichy Central Prison, Trichy.
- 4.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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