



HCP(MD). No.1451 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 12.02.2026

CORAM

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

H.C.P(MD). No.1451 of 2025

Simson,

... Petitioner

Vs.

1. The State of Tamilnadu, 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,
O/o.The District Magistrate and District Collector,
Ariyalur District,
Ariyalur.

3. The Superintendent of Prison,,
Trichy Central Prison,
Trichy 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 second respondent in
Cr.MP.No.13/2025 dated 10.06.2025 and direct the respondents to



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produce the person of the detenu name Simson, S/o.Lasar, aged 30 years now detained as “Goonda” at Trichy Central Prison before this Court and set him at liberty forthwith.

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 mother of the detenu viz., Simson, S/o.Lasar aged about 30 years. The detenu has been detained by the second respondent by his order in Detention order in Cr.MP.No.13/2025 dated 10.06.2025, 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. The learned counsel appearing for the petitioner raised a ground that the petitioner was arrested on 05.05.2025, but, the detention order was passed on 10.06.2025 and there was a delay of 35 days and the reason for passing the detention order did not explain by the detaining authority.

4. The detenu was arrested and remanded to judicial custody on 05.05.2025 in pursuant to the registration of the F.I.R in Crime No.86 of 2025 for the offences punishable under Section 126(2), 296(b), 109(1), 351 (3) BNS and Section 5 r/w. Section 25(1)(b) and 7 r/w. Section 27(1) and 27(2) of Arms Act. But, the detention order was passed only on 10.06.2025 and there was an unexplained delay of 35 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 Cr.MP.No.13/2025 dated 10.06.2025 , passed by the second respondent is set aside. The detenu, viz., Simson, S/o.Lasar aged



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about 30 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

TO

1. The Additional Chief Secretary
to Government,
Home Prohibition and Excise Department,
Fort.St.George,
Chennai 600 009.

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



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

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



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AND
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