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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.03.2026

CORAM

THE HON'BLE MR JUSTICE N. ANAND VENKATESH

AND

THE HON'BLE MR JUSTICE P.DHANABAL

H.C.P.(MD)No.1488 of 2025

Jeyaraj

.. Petitioner

Vs.

1.State of Tamil Nadu,
represented by its
The Additional Chief Secretary to Government,
Fort St.George,
Chennai-600 009.

2.The District Collector and District Magistrate,
Office of the District Collector and District Magistrate,
Ramanathapuram District.

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

.. 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 of the second respondent in S.R.No.43/D.O/2025 dated 08.10.2025 and quash the same and direct the respondents to produce the detenu by name Jeyaraj, son of



Sundarraaj aged about 25 years, now detained as “Drug Offender” at Madurai Central Prison before this Court and set him at liberty forthwith.

For Petitioner : Mr.Dr.R.Alagumani

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 detenu, by name Jeyaraj, son of Sundarraaj aged about 25 years. The detenu has been detained by the second respondent by his order in S.R.No.43/D.O/2025 dated 08.10.2025 holding him to be a "Drug Offender", as contemplated under Section 2(e) 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 that were raised by the learned counsel appearing for the petitioner, one of the main ground that was raised



is that the Detaining Authority after taking into account the fact that no bail petition was pending in the ground case, proceeded to come to the conclusion that there is likelihood of the detenu coming out on bail by relying upon an order passed in Crl.M.P.No.3313 of 2024 dated 15.07.2024. It was submitted that the order that was relied upon by the Detaining Authority is not a similar case.

4. We have carefully perused the order passed in Crl.M.P.No.3313 of 2024 dated 15.07.2024. That was a case where the accused therein was involved in an NDPS offence and found in possession of 2.500 kgs of ganja and was in custody for more than 38 days. In the case in hand, there were two adverse cases against the detenu apart from the ground case. Therefore, the order that was referred by the Detaining Authority certainly cannot be considered to be a similar case. Hence, it suffers from non-application of mind.

5. In the result, the Habeas Corpus Petition is allowed and the order of detention in S.R.No.43/D.O/2025 dated 08.10.2025 passed by the second respondent is set aside. The detenu, by name Jeyaraj, son of Sundarraaj aged



about 25 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.,)
12.03.2026

Index : Yes / No
Internet : Yes / No
TSG

To

The Additional Chief Secretary to Government,
Fort St.George,
Chennai-600 009.

2.The District Collector and District Magistrate,
Office of the District Collector and District Magistrate,
Ramanathapuram District.

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

4.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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