



WEB COPY

HCP No. 418 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-08-2026

CORAM

THE HON'BLE MR JUSTICE N. SATHISH KUMAR

AND

THE HON'BLE MR.JUSTICE K.RAJASEKAR

HCP No. 418 of 2026

Sagunthala
W/o.Vijayan,
No.3/115, Kattuvalavu,
Veemanur, Salem City and District.

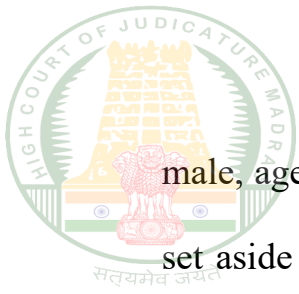
..Petitioner(s)

Vs

1. The Secretary to the Government,
Home, Prohibition and Excise Department,
Secretariat, Chennai - 600 009.
2. The Commissioner of Police,
Salem City.
3. The Superintendent of Prison,
Central Prison,
Salem-7.
4. The State represented by
the Inspector of Police,
Veeranam Police Station,
Salem City.

..Respondent(s)

Habeas Corpus Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus to call for the records in connection with the order of detention passed by the second respondent dated 05.02.2026 in C.M.P.No.20/Goonda/Salem City/2026 against the petitioner's son Manickam,



male, aged 32 years, S/o.Vijayan, who is confined at Central Prison, Salem and set aside the same and direct the respondents to produce the detenu before the Court and set him at liberty.

For Petitioner(s): Mr.D.Balaji

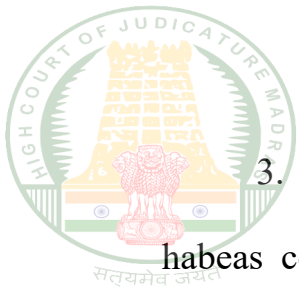
For Respondent(s): Mr.M.Mohamed Riyaz
Government Advocate (Crl.Side)

ORDER

(made by N.Sathish Kumar J.)

The petitioner, who is the mother of the detenu Manickam, male, aged 32 years, S/o.Vijayan, has come forward with this petition challenging the detention order passed by the second respondent dated 05.02.2026 in C.M.P.No.20/Goonda/Salem City/2026 branding him as "Goonda" under the Tamil Nadu Prevention of Dangerous Activities of Bootleggers, Drug Offenders, Forest Offenders, Goondas, Immoral Traffic Offenders, Sand Offenders, Slum Grabbers and Video Pirates Act, 1982 [Tamil Nadu Act 14 of 1982].

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.



3. Though several grounds have been raised by the petitioner in the habeas corpus petition assailing the detention order, in the hearing, learned counsel for the petitioner mainly focused his argument on the ground that the language known to the detenu is Tamil, but, the final report at Page Nos.199 to 207 in Volume-II of the booklet, which was relied on by the authorities, was furnished to the detenu other than the language known to him and therefore, the same has prevented him from making an effective representation against the detention order. Hence, the impugned order is liable to be set aside.

4. A perusal of the booklet Page Nos.199 to 207 in Volume-II of the booklet would disclose that the final report relied on by the detaining authority has not been translated and the same has been furnished to the detenu in a language not known to him, thereby, the detenu has been put to prejudice and is deprived of making an effective representation for revocation of the detention order. The non-furnishing of translated version of document(s) relied on by the detaining authority particularly when the detenu is not conversant with the language violates his constitutional rights and can vitiate the detention order. Hence, on this ground, the impugned order of detention is vitiated and is liable to be quashed.



In the result, this Habeas Corpus Petition is allowed and the detention order passed by the second respondent in dated 05.02.2026 in C.M.P.No.20/Goonda/Salem City/2026 is hereby set aside. The detenu Manickam, male, aged 32 years, S/o.Vijayan is directed to be set at liberty forthwith unless he is required in connection with any other case.

(N.S.K.,J.) (K.R.S.,J.)
19-08-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

nsd



To

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2. The Commissioner of Police,
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3. The Superintendent of Prison,
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Salem-7.
4. The Inspector of Police,
Veeranam Police Station,
Salem City.
5. The Public Prosecutor
Madras High Court, Chennai.



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**N.SATHISH KUMAR J.
AND
K.RAJASEKAR J.**

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