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HCP No. 550 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-08-2026

CORAM

THE HON'BLE MR JUSTICE N. SATHISH KUMAR

AND

THE HON'BLE MR.JUSTICE K.RAJASEKAR

HCP No. 550 of 2026

Elaiyamathi
W/o.Arumugam,
No. 1/42B, 4th Puthu Street,
Polur Road, Tiruvannamalai Town,
Tiruvannamalai District.

..Petitioner(s)

Vs

1. The Secretary to the Government
Home, Prohibition and Excise Department,
Secetariat, Chennai 600 009.
2. The District Collector and District Magistrate
of Tiruvannamalai District,
Tiruvannamalai.
3. The Superintendent of Police
Tiruvannamalai District,
Tiruvannamalai.
4. The Superintendent of Prison
Central Prison,
Vellore.
5. The Inspector of Police
Tiruvannamalai Town Police Station,
Tiruvannamalai District.

..Respondent(s)



Habeas Corpus Petition filed under Article 226 of the Constitution of India to call for the records in connection with the order of detention passed by the second respondent dated 23.02.2026 in D.O.No.07/2026-C2 against the petitioner's son, Siva @ Rakki Siva, male, aged 28 years, S/o. Arumugam, who is confined at Central Prison, Vellore 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

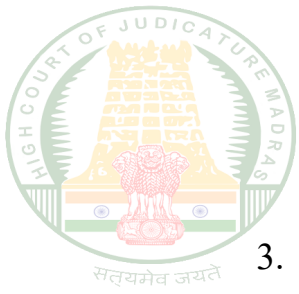
For Respondent(s): Mr.M.Mohamed Riyaz
Government Advocate (Crl.Side)

ORDER

(made by N.Sathish Kumar J.)

The petitioner, who is the mother of the detenu Siva @ Rakki Siva, male, aged 28 years, S/o. Arumugam, has come forward with this petition challenging the detention order passed by the second respondent dated 23.02.2026 in D.O.No.07/2026-C2 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].

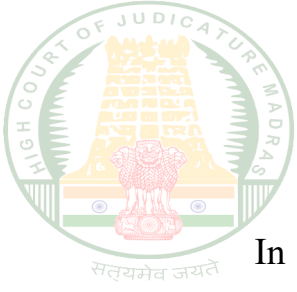
2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.



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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 accident register at Page Nos.70 and 71 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 would disclose that the translated version of the accident register at Page Nos.70 and 71 in Volume-II of the booklet relied on by the detaining authority were not furnished to the detenu in a language 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.



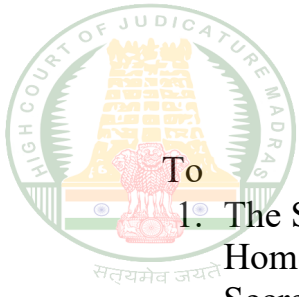
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In the result, this Habeas Corpus Petition is allowed and the detention order passed by the second respondent in dated 23.02.2026 in D.O.No.07/2026-C2 is hereby set aside. The detenu Siva @ Rakki Siva, male, aged 28 years, S/o. Arumugam is directed to be set at liberty forthwith unless he is required in connection with any other case.

(N.S.K.,J.) (K.R.S.,J.)
20-08-2026

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

nsd



To

1. The Secretary to the Government
Home, Prohibition and Excise Department,
Secretariat,
Chennai 600 009.
2. The District Collector and District Magistrate
of Tiruvannamalai District,
Tiruvannamalai.
3. The Superintendent of Police
Tiruvannamalai District,
Tiruvannamalai.
4. The Superintendent of Prison
Central Prison,
Vellore.
5. The Inspector of Police
Tiruvannamalai Town Police Station,
Tiruvannamalai District.
6. The Public Prosecutor
Madras High Court, Chennai.



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

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