



WEB COPY

HCP No. 551 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-08-2026

CORAM

THE HON'BLE MR JUSTICE N. SATHISH KUMAR

AND

THE HON'BLE MR.JUSTICE K.RAJASEKAR

HCP No. 551 of 2026

Santhi
W/o.Durairaj,

..Petitioner(s)

Vs

1. The Secretary to the Government,
Home Prohibition and Excise Department,
Secretariat, Chennai - 600 009.
2. District Collector and
District Magistrate,
Tirupathur District, Tirupathur.
3. The Superintendent of Police,
Tirupathur District,
Tirupathur.
4. The Superintendent of Prison,
Central Prison,
Vellore.
5. The Inspector of Police,
Vaniyambadi Taluk Police Station,
Tirupathur District.

..Respondent(s)

Habeas Corpus Petition filed under Article 226 of Constitution of India to call for the records in connection with the order of Detention passed by the second respondent 12.12.2025 in C3/D.O.No.42/2025 against the petitioner's son Premkumar, male, aged 25 years S/o. Durairaj, who is confined



at Central Prison, Vellore and set aside the same and direct the respondents to produce the detenue before the this Court and set him at liberty.

For Petitioner(s): Mr. D.Balaji

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

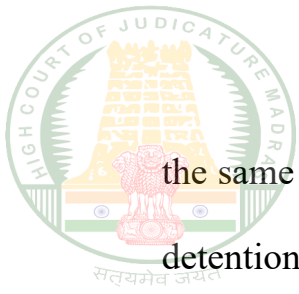
ORDER

(Order of the Court was made by N.Sathish Kumar J.)

The petitioner, who is the mother of the detenu Premkumar, male, aged 25 years, S/o. Durairaj, has come forward with this petition challenging the detention order passed by the second respondent dated 12.12.2025 bearing reference C3/D.O.No.42/2025 slapped on her son, 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 Government Advocate (Crl.side) 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 documents relied on by the authorities were furnished to the detenu other than the language known to the detenu and



the same has prevented him from making an effective representation against the detention order. Hence the impugned detention order is liable to be set aside.

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4.Per contra, learned Government Advocate (Crl.side) submits that the order of detention has been passed on cogent and sufficient materials and the same cannot be interfered with at the instance of the petitioner.

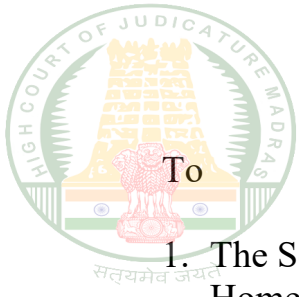
5.A perusal of the booklet would disclose that the wound certificate of the victim has not been furnished to the detenu in a language known to him, thereby the detenu has been put to prejudice and is deprived of making an effective representation for revocation of the detention order. The non-furnishing of translated version of document 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.

6.In the result, the Habeas Corpus Petition is allowed and the order of detention in C3/D.O.No.42/2025 dated 12.12.2025 passed by the second respondent is set aside. The detenu, namely Premkumar, male, aged 25 years S/o. Durairaj, is directed to be released forthwith unless his detention is required in connection with any other case.

(N.S.K.,J.) (K.R.S.,J.)
17-08-2026

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

gpa



To

1. The Secretary to the Government,
Home Prohibition and Excise Department,
Secretariat,
Chennai - 600 009.
2. District Collector and
District Magistrate,
Tirupathur District,
Tirupathur.
3. The Superintendent of Police,
Tirupathur District,
Tirupathur.
4. The Superintendent of Prison,
Central Prison,
Vellore.
5. The Inspector of Police,
Vaniyambadi Taluk Police Station,
Tirupathur District.
6. The Joint Secretary to Government
Public (Law & Order)
Fort Saint George, Chennai – 9
7. The Public Prosecutor
High Court, Madras.



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

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