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HCP No. 805 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-08-2026

CORAM

THE HON'BLE MR JUSTICE N. SATHISH KUMAR

AND

THE HON'BLE MR.JUSTICE K.RAJASEKAR

HCP No. 805 of 2026

Kirthika  
D/o. Ravi,  
No.12, Elumalai Nayakkar Street,  
Aravindhan Nagar, Sunsrasolavaram,  
Thiruverkadu, Thiruvallur District.

..Petitioner(s)

Vs

1. The Secretary to the Government  
Home Prohibition and Excise Department,  
Secretariat, Chennai- 600 009.
2. The Commissioner of Police  
Avadi City.
3. The Superintendent of Prison  
Central Prison, Puzhal,  
Chennai-8.
4. The Inspector of Police  
T-5, Thiruverkadu Police Station,  
Tambaram 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 14.02.2026 in No.12/TNPD/APC/2026 against the petitioner's friend Vignesh



@ Azhakku Vignesh, male, aged 31 years, S/o.Dharmaraj, who is confined at Central Prison, Puzhal, Chennai-66 and set aside the same and direct the respondents to produce the detenu before this Court and set him at liberty.

For Petitioner(s): Mr.D.Balaji

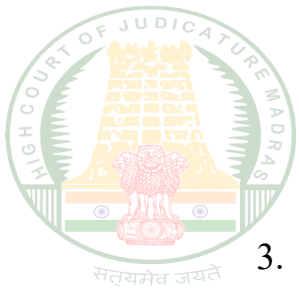
For Respondent(s): Mr.M.Mohamed Riyaz  
Government Advocate (Crl.Side)

### **ORDER**

(made by N.Sathish Kumar J.)

The petitioner, who is the friend of the detenu Vignesh @ Azhakku Vignesh, male, aged 31 years, S/o.Dharmaraj, has come forward with this petition challenging the detention order passed by the second respondent dated 14.02.2026 in No.12/TNPD/APC/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].

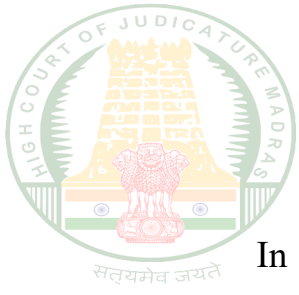
2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.



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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.6 and 7 in Volume-I 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.6 and 7 in Volume-I 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.



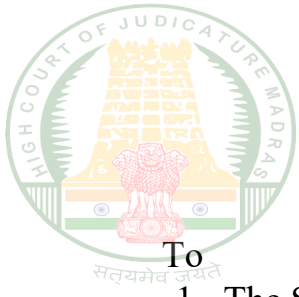
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In the result, this Habeas Corpus Petition is allowed and the detention order passed by the second respondent in dated 14.02.2026 in No.12/TNPD/APC/2026 is hereby set aside. The detenu Vignesh @ Azhakku Vignesh, male, aged 31 years, S/o.Dharmaraj is 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.)  
21-08-2026

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 Commissioner of Police  
Avadi City.
3. The Superintendent of Prison  
Central Prison, Puzhal,  
Chennai-8.
4. The Inspector of Police  
T-5, Thiruverkadu Police Station,  
Tambaram 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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