

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-03-2026

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CORAM

THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

HCP No. 1966 of 2025

Visalachi, F/60 years,
W/o. Ravi,
No.98, 2nd Street,
VVCR Nagar,
Erode District.

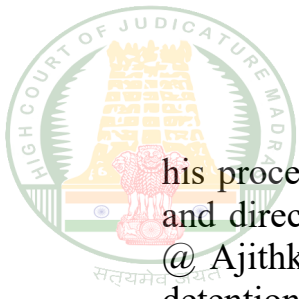
..Petitioner(s)

Vs

1. The State of Tamil Nadu Rep. By its Additional Chief Secretary to Government, Home, Prohibition and Excise Department, Secretariat, Fort St.George, Chennai - 600 009.
2. The District Magistrate and District Collector, Erode District, Erode.
3. The Superintendent of Police, Erode District, Erode.
4. The Superintendent of Prison, Central Prison, Coimbatore.
5. The Inspector of Police, Erode Town Police Station, Erode.

..Respondent(s)

Prayer: Petition filed under Article 226 of Constitution of India for issuance of a Writ of Habeas Corpus or any other appropriate Writ, order or direction, in the nature of a Writ of Habeas Corpus to call for the records relating to the detention order dated 30.8.2025 passed by the 2nd respondent in



his proceedings No.Cr.M.P.No.51/Drug Offender/2025 C1 and quash the same and direct the respondents herein to produce the petitioner's son namely Ajith @ Ajithkumar, son of Ravi, aged about 24 year, who is presently undergoing detention in the Central Prison, Coimbatore as Drug Offender before this Court and set him at liberty.

For Petitioner(s): Mr.M.Vinoth

For Respondent(s): Mr. R. Muniyapparaj
Additional Public Prosecutor
assisted By
Mr. M. Sylvester John

ORDER

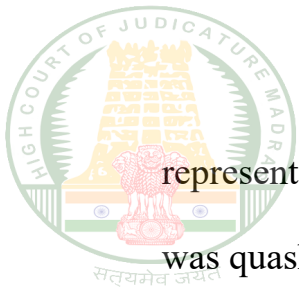
(Made by SUNDER MOHAN, J.)

The mother of the detenu - Ajith alias Ajithkumar, has been branded as Drug Offender under Section 2(e) of the Tamil Nadu Preventive Detention Act, 1982, has filed this petition challenging the detention order dated 30.08.2025.

2. The learned counsel for the petitioner would submit that the detention order is liable to be set aside on the ground that the Government Order furnished to the detenu has not been translated into the language known to the detenu and that the special report is undated. He would submit that the detention order in respect of the co-accused in order dated 26.02.2026 has been quashed by this Court in HCP.No.1977 of 2025 for the very same reasons.

3. Heard the learned Additional Public Prosecutor.

4. We find from the booklet supplied to the detenu that the Government Order has not been translated in Tamil which is the language known to the detenu and the special report is undated, depriving his right to make an effective



representation. The detention order passed against a similarly placed detenu was quashed by this Court in HCP No.1977 of 2025.

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5.In light of the above discussion, this Habeas Corpus Petition is allowed and the Detention Order passed by the second respondent in Cr.M.P.No.51/Drug Offender/2025 C1, dated 30.08.2025 is set aside.

6.The detenu, viz., Ajith alias Ajithkumar, S/o.Ravi, aged 24 years, now confined in Central Prison, Coimbatore, is directed to be set at liberty forthwith, unless his presence is required in connection with any other case.

(A.S.M.,J.) (S.M.,J.)

23-03-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

mpl

Note to Registry : Issue Today

To

1. The Additional Chief Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat, Fort St.George,
Chennai - 600 009.
2. The District Magistrate and District Collector,
Erode District, Erode.
3. The Superintendent of Police,
Erode District, Erode.

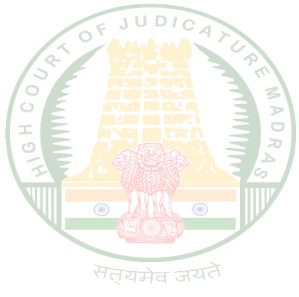


4. The Superintendent of Prison,
Central Prison, Coimbatore.

5. The Inspector of Police,
Erode Town Police Station,
Erode.

6. The Joint Secretary,
Law and Order Department,
Secretariat, Chennai.

7. The Public Prosecutor,
High Court, Madras.



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DR.ANITA SUMANTH J.

AND

SUNDER MOHAN J.

mpl

HCP No. 1966 of 2025

23-03-2026