



WEB COPY

HCP No.2558 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24-06-2026

CORAM

THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

HCP No.2558 of 2025

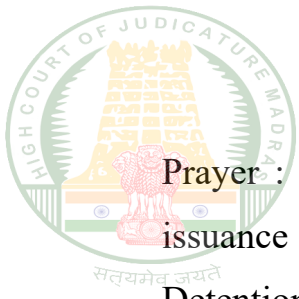
Meena
W/o.Devakumar,
No.193, Perumal Kovil Street,
Melakondaiyur Village,
Thiruvallur District.

...Petitioner/Wife of the
Detenue

Vs

1. State of Tamil Nadu
Rep. by the Secretary to Government,
Home Prohibition and Excise Department,
Fort St George,
Chennai – 600009.
2. The District Magistrate and District Collector,
Master Plan Complex,
Collector's Office,
Thiruvallur District.
3. The Superintendent of Police,
Thiruvallur District.
4. The Superintendent of Prison,
Central Prison - II,
Puzhal,
Chennai.
5. The Inspector of Police,
PEW-R.K. Pet Police Station,
Thiruvallur District.

...Respondents



Prayer : Petition filed under Article 226 of Constitution of India praying for issuance of Writ of Habeas Corpus, calling for the records relating to the Detention Order No.37/2025 dated 06.10.2025, passed by the second respondent and quash the same and direct the respondents herein to produce the petitioner's husband namely Devakumar S/o Rangan, aged 28 years, (who is presently under going detention in the Central Prison-II, Puzhal), before this Court and set him at liberty.

For Petitioner: Mr.A.Tamilselvan

For Respondents: Mr.C.R.Malarvannan
Counsel for Government of Tamil Nadu
(Criminal Side)

ORDER

(Order of the Court was made by Sunder Mohan J.)

The wife of the detenu – Devakumar, aged 28 years, S/o Rangan, has filed this petition challenging the detention order dated 06.10.2025, branding him as a 'Drug Offender' under Section 2(e) of the Tamil Nadu Preventive Detention Act, 1982 (Act 14/1982).

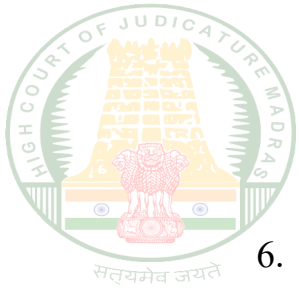
2. We have heard learned counsel for petitioner and learned counsel for Government of Tamil Nadu (Criminal Side) for respondents.

3. The detention order is liable to be quashed for more than one reason. The Detaining Authority has observed that the detenu is likely to be released on bail since in a similar case in CrI.O.P.No.30267 of 2022 dated 19.12.2022, bail



was granted to the accused. We find that the facts and the offences against the accused in that case are different. The offences alleged against the detenu are under Sections 8(c) r/w 20(b)(ii)(B), 22(b), 29(1) & 25 of the Narcotic Drugs and Psychotropic Substances Act, 1985 and 123 & 278 of the Bharatiya Nyaya Sanhita – 2023 r/w 77 of the Juvenile Justice (Care and Protection of Children) Act, 2015. Whereas, the offences alleged against the accused in CrI.O.P.No.30267 of 2022, are under Sections 8(c) r/w 20(b)(ii)(B), 22(b), 22(c), 25 & 29(1) of the Narcotic Drugs and Psychotropic Substances Act, 1985. Therefore, the reliance placed on the said order by the detaining authority to arrive at the satisfaction that there is a real possibility of the detenu coming out on bail is misconceived. The inference that the detenu would indulge in further criminal activities after his release also is without any basis.

4. That apart, it is seen that the translated copy of the Arrest Intimation Memo, has not been furnished to the detenu. Admittedly, the detenu is acquainted only with Tamil. It is well settled that if the document is not furnished in the language known to the detenu, his right to make effective representation would be denied. In **'Powanammal Vs. State of Tamil Nadu'** reported in **'(1999) 2 SCC 413'**, the Hon'ble Supreme Court had held that non-supply of relevant documents in the language known to the detenu renders the detention illegal. For both the reasons, the detention order is liable to be quashed.



6. In light of the aforesaid discussion, this Habeas Corpus Petition is allowed and the Detention Order passed by the second respondent in Detention Order No.37/2025 dated 06.10.2025 is set aside.

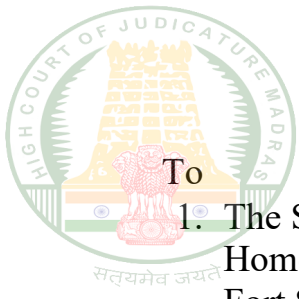
7. The detenu, viz., Devakumar, aged 28 years, S/o Rangan, who is now confined in Central Prison-II, Puzhal, Chennai – 600 066, is hereby directed to be set at liberty forthwith unless his presence is required in connection with any other case.

(A.S.M.,J.) (S.M.,J.)
24-06-2026

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

Note: Issue Order Copy today.

dk



To

1. The Secretary to the Government,
Home Prohibition and Excise Department,
Fort.St.George,
Chennai – 600 009.
2. The District Magistrate and District Collector
Master Plan Complex,
Collector's Office,
Thiruvallur District.
3. The Superintendent of Police,
Thiruvallur District.
4. The Superintendent of Prison,
Central Prison-II,
Puzhal,
Chennai.
5. The Inspector Of Police
PEW-R.K. Pet Police Station,
Thiruvallur District.
6. The Joint Secretary,
Law and Order Department,
Secretariat, Chennai – 600 009.
7. The Public Prosecutor,
High Court of Madras.



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**DR.ANITA SUMANTH, J.
AND
SUNDER MOHAN, J.**

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