

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-04-2026

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CORAM

THE HON'BLE DR.JUSTICE ANITA SUMANTH
AND
THE HON'BLE MR.JUSTICE SUNDER MOHAN

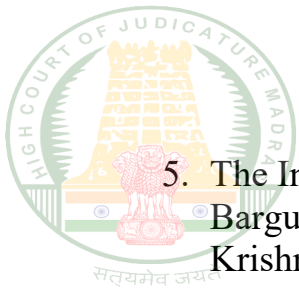
HCP No. 2642 of 2025

Chinnamuni
S/o.Chinnarasu,
Ambedkar Nagar,
Ikuntham Village,
Ikuntham Kothapalli Post,
Bargur Taluk,
Krishnagiri District.

..Petitioner(s)

Vs

1. The State of Tamil Nadu,
The Additional Chief Secretary to Government
(Home), Prohibition and Excise Department,
Secretariat, Chennai-600 009.
2. The District Collector and The District
Magistrate,
Krishnagiri, Krishnagiri District.
3. The Superintendent of Police,
Krishnagiri District,
Krishnagiri.
4. The Superintendent of Prison,
Central Prison,
Salem District.



5. The Inspector of Police,
Bargur Police Station,
Krishnagiri District.

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..Respondent(s)

Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus to call for the records pertaining to the order of detention passed vide proceeding in S.C.No.30/2025 dated on 30.08.2025 passed by the 2nd respondent and set aside the same and directing the respondents to produce the petitioner by name in Chinnamuni, S/o.Chinnarasu, aged about 23 years, before this Hon'ble Court now confined in Central Prison, Salem and set him at liberty.

For Petitioner(s): Mr.K.Prathap

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

ORDER

(Made by Dr.Anita Sumanth J.)

Chinnamuni, S/o.Chinnarasu, has been detained at Central Prison, Salem on the basis that he is a 'Goonda' under Section 2(f) of the Tamil Nadu Preventive Detention Act, 1982 (Act 14/1982). He has approached this Court challenging order of detention dated 30.08.2025.

2. We have heard Mr.K.Prathap, learned counsel for petitioner and Mr.R.Muniyapparaj, learned Additional Public Prosecutor, for the respondents.



3. The detenu had filed a bail application which was dismissed and he has admittedly not filed any bail application thereafter. However, the detaining authority expresses an apprehension that there is a possibility of him being enlarged on bail. In the absence of any bail application having been moved, as at present, we do not find that the apprehension of him being released on bail is justified. It would have been yet another matter had a bail application been filed, that was pending. Since that is not the case, the apprehension of the detaining authority is only ipse dixit without any basis whatsoever.

4. That apart, we find that some documents in the booklets furnished to the detenu, for instance, the accident register of the Government Hospital, Bargur placed at page 20 of Vol I that are entirely illegible, apart from being in English. The extracts from the accident registers at page nos. 19 and 20 of Vol II though legible, are in English. There is no dispute on the position that the detenu is conversant only in Tamil and does not know English. In such circumstances, non-furnishing of the documents in a language known to him would lead to prejudice as he would be unable to mount an effective defence as against the case and for the aforesaid reason also, we find that the order of detention is liable to be set aside.

5. In light of the aforesaid discussion, this Habeas Corpus Petition is allowed and the Detention Order passed by the second respondent in S.C.No.30/2025 dated 30.08.2025, is set aside.



6. The detenu, viz., Chinnamuni, S/o.Chinnarasu, aged 23 years, confined in Central Prison, Salem, 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.)
22-04-2026

Index: Yes/No
Speaking order
Neutral Citation: Yes

ssm

Note to Registry : Issue Today.

To

1. The State of Tamil Nadu,
The Additional Chief Secretary to Government (Home),
Prohibition and Excise Department,
Secretariat,
Chennai-600 009.
2. The District Collector and The District Magistrate,
Krishnagiri,
Krishnagiri District.
3. The Superintendent of Police,
Krishnagiri District,
Krishnagiri.
4. The Superintendent of Prison,
Central Prison,
Salem District.
5. The Inspector of Police,
Bargur Police Station,
Krishnagiri District.



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6. The Public Prosecutor,
High Court, Madras.

7. The Joint Secretary to Government,
Public (Law and Order),
Secretariat, Fort.St.George, Chennai -9.



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

ssm

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