

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 22.04.2026

CORAM

THE HON'BLE MR JUSTICE N.ANAND VENKATESH

AND

THE HON'BLE MR JUSTICE K.K.RAMAKRISHNAN

H.C.P.(MD) No.2 of 2026

Vishali

.. Petitioner/ Wife of the Detenu

Vs.

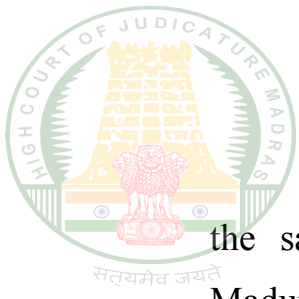
1.The State of Tamil Nadu,
Rep by the Additional Chief Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat, Chennai - 9.

2.The District Collector and District Magistrate,
Theni District.

3.The Superintendent of Prison,
Central Prison,
Madurai.

.....Respondents

Prayer :Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus, to call for the records pertaining to the impugned detention order passed by the 2nd respondent made in his proceedings in Detention order No.67 of 2025 dated 20.11.2025 in detaining the detenu under Section 2(f) of the Tamil Nadu Act 14 of 1982 as a Goonda and quash



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the same and direct the respondents to produce the detenu namely Maduraimuthu @ Maruthamuthu, S/o.Kalimuthu, Male, aged about 23 years, who is detained at Central Prison, Madurai, before this Court and set him at liberty.

For Petitioner : Mr.K.M.Karunakaran

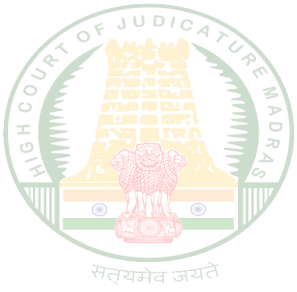
For Respondents : Mr.A.Thiruvadikumar
Additional Public Prosecutor

ORDER

(Order of the Court was made by N. ANAND VENKATESH,J.)

The petitioner is the wife of the detenu, viz., Maduraimuthu @ Maruthamuthu, S/o.Kalimuthu, Male, aged about 23 years. The detenu has been detained by the second respondent by his order in Detention order No. 67 of 2025 dated 20.11.2025, holding him to be a “Goonda” as contemplated under Section 2(f) of the Tamil Nadu Act 14 of 1982. The said order is under challenge in this Habeas Corpus Petition.

2. We have heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents. We have also perused the records produced by the Detaining Authority.



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3. Apart from the other grounds raised by the learned counsel for the petitioner, one of the main grounds that was raised is that the Detaining Authority was aware of the fact that the bail petition filed by the detenu had already been dismissed and steps were taken by the relatives to file another bail petition and in spite of the same, the Detaining Authority has taken into consideration the order passed in CrI.M.P.No.968 of 2025, dated 13.05.2025 and came to the conclusion that bail has been granted in a similar case and therefore, there is a likelihood of the detenu coming out on bail. The learned counsel for the petitioner submitted that the order relied upon by the Detaining Authority is not a similar case. Therefore, the detention order suffers from non-application of mind.

4. We have carefully gone through the order passed in CrI.M.P.No. 968 of 2025, dated 13.05.2025. In that case, it is seen that statutory bail was granted by the Court since the charge sheet was not filed within 90 days. Therefore, the order that was relied upon cannot be considered to be a similar case. Therefore, the detention order suffers from non-application of mind.



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5. In the result, the Habeas Corpus Petition is allowed and the order of detention in No.67 of 2025 dated 20.11.2025, passed by the second respondent is set aside. The detenu, viz., Maduraimuthu @ Maruthamuthu, S/o.Kalimuthu, Male, aged about 23 years, is directed to be released forthwith, unless his detention is required in connection with any other case.

(N.A.V.,J..) (K.K.R.K.,J.)
22.04.2026

Index : Yes / No

Internet : Yes / No

Indu

To

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Secretariat, Chennai - 9.

2.The District Collector and District Magistrate,
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3.The Superintendent of Prison,
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Madurai.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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**N. ANAND VENKATESH,J.
AND
K.K.RAMAKRISHNAN,J.**

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