

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 13.03.2026

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THE HON'BLE MR JUSTICE N. ANAND VENKATESH

AND

THE HON'BLE MR JUSTICE P.DHANABAL

H.C.P.(MD)No.73 of 2026

K.Sudalaimani

.. Petitioner / Son of detenu
Vs.

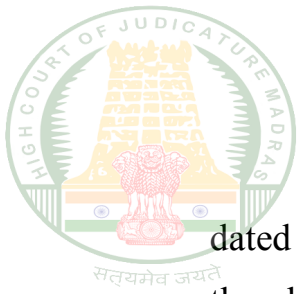
1.The State of Tamil,
represented by
the Additional Chief Secretary to Government,
Home, Prohibition and Excise Department,
Fort St.George, Chennai-9.

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

3.The Superintendent of Prison,
Central Prison,
Palayamkottai, Tirunelveli.

.. Respondents

Prayer :Petition filed under Article 226 of the Constitution of India to call for the records pertaining to the impugned detention order passed by the second respondent made in his proceedings in M.H.S.Confdl No.94/2025,



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dated 05.08.2025 and quash the same and direct the respondents to produce the detenu or body of the detenu, namely, the petitioner's father, i.e., Kanagaraj @ Kadarkaraiyandi, aged about 66 years, S/o.Perumal, now detained at the Central Prison, Palayamkottai, before this Court and set him at liberty forthwith.

For Petitioner : Mr.N.Pragalathan

For Respondents : Mr.A.Thiruvadikumar
Additional Public Prosecutor

ORDER

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

The petitioner is the son of the detenu, by name Kanagaraj @ Kadarkaraiyandi, aged about 66 years, S/o.Perumal. The detenu has been detained by the second respondent by his order in M.H.S.Confdl No. 94/2025, dated 05.08.2025 holding him to be a "Sexual Offender", as contemplated under Section 2(ggg) 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 appearing for the petitioner, one of the main ground that was raised is that there is a delay of 30 days in passing the detention order and this delay is totally unexplained.

4. In our considered view, the issue is squarely covered by the judgment of the Hon'ble Apex Court in the case of ***Sushanta Kumar Banik Vs. State of Tripura and Others*** reported in ***2022 SCC Online SC 1333***.

5. The detention order is vitiated due to the fact that there was a solitary case and the live and proximate link between the grounds of detention and the purpose of the detention is completely absent. Hence, this Court is inclined to interfere with the detained order passed by the second respondent.

6. In the result, the Habeas Corpus Petition is allowed and the order of detention in M.H.S.Confdl No.94/2025, dated 05.08.2025, passed by the second respondent is set aside. The detenu, viz., Kanagaraj @ Kadarkaraiyandi, aged about 66 years, S/o.Perumal, is directed to be



released forthwith unless his detention is required in connection with any other case.

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(N.A.V.,J..) (P.D.B.,J.,)
13.03.2026

Index : Yes / No
Internet : Yes / No
TSG

To
The Additional Chief Secretary to Government,
Home, Prohibition and Excise Department,
Fort St.George, Chennai-9.

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

3.The Superintendent of Prison,
Central Prison,
Palayamkottai, Tirunelveli.

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



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**N. ANAND VENKATESH,J.
AND
P.DHANABAL,J.**

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