

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 28.04.2026

CORAM

THE HON'BLE MR JUSTICE N.ANAND VENKATESH

AND

THE HON'BLE MR JUSTICE K.K.RAMAKRISHNAN

H.C.P.(MD)No.99 of 2026

M.Durai Eswari

.. Petitioner / Sister of the detenu

Vs.

1.The Additional Joint Secretary to Government,
Government of Tamil Nadu,
Home, Prohibition and Excise Department,
Chennai-600 009.

2.The District Collector and District Magistrate,
Tirunelveli,
Tirunelveli District – 628 601.

3.The Superintendent of Prison,
Tirunelveli,
Tirunelveli District – 628 601.

4.The Inspector of Police,
Sivanthipatti Police Station,
Thoothukudi District.

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

.. Respondents



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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 proceedings of the second respondent made in his proceedings in Detention Order H.S.(M)Confdl.No:153/2025 dated 24.11.2025 and quash the same and set my son by name Vallimuthi @ Pandi, aged about 24 years at his liberty from Central Prison, Palayamkottai/5th respondent.

For Petitioner : Mr.Aayiram K.Selvakumar

For Respondents : Mr.A.Thiruvadikumar
Additional Public Prosecutor

ORDER

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

The petitioner is the mother of the detenu, by name, Vallimuthi @ Pandi, S/o.Muthupalavesam, aged about 24 years. The detenu has been detained by the second respondent by his order in H.S.(M) Confdl.No: 153/2025 dated 24.11.2025 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.



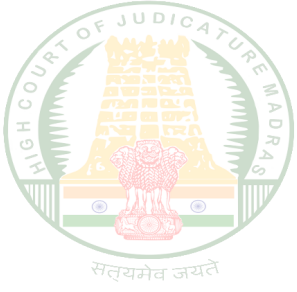
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2. We have heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents. We have also perused the records produced by the Detaining Authority.

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 31 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.



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6. In the result, the Habeas Corpus Petition is allowed and the order of detention in H.S.(M)Confdl.No:153/2025 dated 24.11.2025, passed by the second respondent is set aside. The detenu, viz., Vallimuthi @ Pandi, S/o.Muthupalavesam, aged about 24 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.)
28.04.2026

Index : Yes / No
Internet : Yes / No

Indu

To

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- 2.The District Collector and District Magistrate,
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Tirunelveli District – 628 601.
- 3.The Superintendent of Prison,
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4. The Inspector of Police,
Sivanthipatti Police Station,
Thoothukudi District.

5. 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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