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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.04.2026

CORAM

**THE HON'BLE MR JUSTICE N.ANAND VENKATESH**

**AND**

**THE HON'BLE MR JUSTICE K.K.RAMAKRISHNAN**

**H.C.P.(MD) No.116 of 2026**

R.Selvasanthi

.. Petitioner / Mother of the Detenu

Vs.

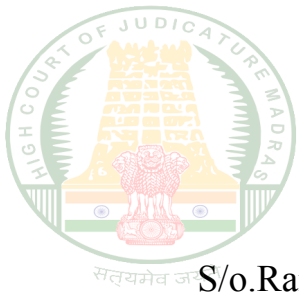
1.The State of Tamil Nadu,  
Rep by the Principal Secretary to Government,  
Home, Prohibition and Excise Department,  
Fort St.George, Chennai -9.

2.The Commissioner of Police,  
Madurai City, Madurai.

3.The Superintendent,  
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 entire records connected with the detention order of the 2<sup>nd</sup> respondent in No.68/BBCDEFGISSSV/2025 dated 14.11.2025 and quash the same as illegal and direct the respondents to produce the person or body of the detenue namely Vadivel @ Arun,



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S/o.Ramachandran, aged about 20 years, now detained at Central Prison, Madurai, before this Court and set him at liberty.

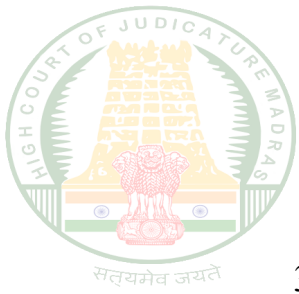
For Petitioner : Mr.K.Dinesh  
For Respondents : Mr.A.Thiruvadikumar  
Additional Public Prosecutor

### **ORDER**

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

The petitioner is the mother of the detenu, by name, Vadivel @ Arun, S/o.Ramachandran, aged about 20 years. The detenu has been detained by the second respondent by his order in No. 68/BBCDEFGISSSV/2025 dated 14.11.2025 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 appearing for the petitioner, one of the main ground that was raised is that the detenu was arrested on 12.10.2025, whereas, the detention order was passed only on 14.11.2025. There is a delay of 33 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 No.68/BBCDEFGISSSV/2025 dated 14.11.2025, passed by



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the second respondent is set aside. The detenu, viz., Vadivel @ Arun, S/o.Ramachandran, aged about 20 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.,)  
20.04.2026

Index : Yes / No  
Internet : Yes / No

Indu

To

- 1.The Principal Secretary to Government,  
Home, Prohibition and Excise Department,  
Fort St.George, Chennai -9.
- 2.The Commissioner of Police,  
Madurai City, Madurai.
- 3.The Superintendent,  
Central Prison,  
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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