

HCP(MD)No.391 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 30.04.2026

CORAM

**THE HON'BLE MR JUSTICE N. ANAND VENKATESH
AND
THE HON'BLE MR JUSTICE K.K.RAMAKRISHNAN**

H.C.P.(MD)No.391 of 2026

Valarmathi

... Petitioner

Vs

1. The State of Tamilnadu,
Rep By The Principal Secretary to Government,
Home, Prohibition and Excise Dept,
Secretariat,
Chennai - 9..

2. The Commissioner of Police,
Tiruchirappalli City..

3. The Superintendent,
Central Prison,
Tiruchirappalli..

4. The Inspector of Police,
K.K.Nagar Police Station,
Tiruchirappalli City..

... Respondents

PRAYER :-Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus call for the records in pursuant to the proceedings of the 2nd respondent in Detention Order C.No.



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89/Detention/C.P.O/TC/2025 dated 24.11.2025, quash the same and consequently direct the respondents to produce petitioner's son namely Gopinath, S/o.Balamurugan, aged 23 years who is now confined in Central Prison, Trichy before this court and set him at liberty.

For Petitioner : M/s.M.Suresh

For Respondents : Mr.A.Thiruvadikumar
Additional Public Prosecutor

ORDER

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

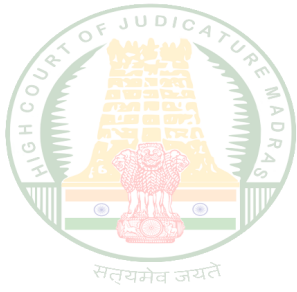
The petitioner is the mother of the detenu viz.,Gopinath S/o.Balamurugan aged about 23 years. The detenu has been detained by the second respondent by his order in C.No.89/Detention/C.P.O/TC/2025 dated 24.11.2025 holding him to be a "Goonda", as contemplated under Section 2(f) of Tamil Nadu Act 14 of 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.



3. Apart from the other grounds that were raised by the learned counsel for the petitioner, one of the main ground that was raised is that the ground case was registered for offence under Section 331(4) and 309(6) of BNS 2023. In the paper book, the accident report in English mentions the nature of injuries sustained and the condition of the victim. However, when the translation was done, the nature of injuries and the condition of the victim has not been translated. In view of the same, it is submitted that the detenu was not in a position to make any effective representation and moreover this document is relied upon by the detaining authority while passing the detention order.

We have carefully gone through the paper book and more particularly, Page Nos.7 and 7(a). The translated copy is not the exact version of what is contained in the accident report, which is in English. Therefore, it deprives the detenu from making effective representation. Consequently the detention order stands vitiated. Accordingly, the detention order is liable to be quashed.



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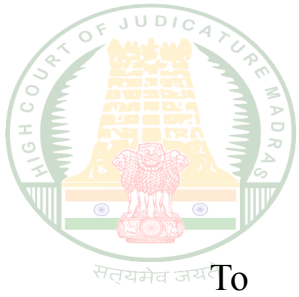
5.. In the result, the Habeas Corpus Petition is allowed and the order

of detention in C.No.89/Detention/C.P.O/TC/2025 dated 24.11.2025 passed by the second respondent is set aside. The detenu, viz., Gopinath S/o.Balamurugan 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.)
30.04.2026

Index : Yes/No
Internet : Yes/No

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Madurai Bench of Madras High Court,
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