

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 27.04.2026

CORAM

THE HON'BLE MR JUSTICE N.ANAND VENKATESH

AND

THE HON'BLE MR JUSTICE K.K.RAMAKRISHNAN

H.C.P.(MD)No.413 of 2026

Kumar

... Petitioner/ Father of the Detenue

Vs

1. The State of Tamilnadu, Rep By its
The Additional Chief Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat, Chennai - 600 009.
2. The District Collector and District Magistrate,
O/o. the District Collector and District Magistrate,
Madurai.
3. The Superintendent of Prison,
Central Prison,
Madurai.
4. State of Tamilnadu
Rep by the Inspector of Police,
Keelavalavu Police Station,
Madurai District.
(Crime No.213/2025)

... 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 impugned detention order issued by second respondent in his proceedings in detention order B.B.C.D.E.F.G.I.S.S.S.V No.87/2025 dated 14.11.2025 in detaining the detenue under Section 2(e) of the Tamil Nadu Act 14 of 1982 as a Drug Offender at the Central Prison, Madurai and thereby, to quash the same and direct the respondents to produce the detenue namely Sanjay Kumar, S/o.Kumar, aged about 22 years, who is now detained at the Central Prison, Madurai, before this Court Court and set him at liberty.

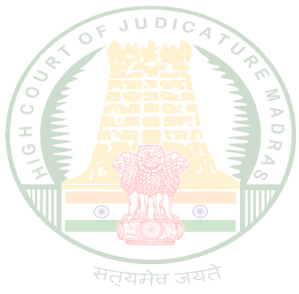
For Petitioner : Mr.K.Vignesh

For Respondents : Mr.A.Thiruvadikumar
Additional Public Prosecutor

ORDER

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

The petitioner is the father of the detenu, by name, Sanjay Kumar, S/o.Kumar, aged about 22 years. The detenu has been detained by the second respondent by his order in B.B.C.D.E.F.G.I.S.S.S.V No.87/2025 dated 14.11.2025 holding him to be a "Drug Offender", as contemplated under Section 2(e) of the Tamil Nadu Act 14 of 1982. The said order is under challenge in this Habeas Corpus Petition.



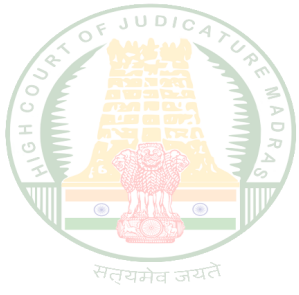
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2. We have heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents. We have also perused the records produced by the Detaining Authority.

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 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.



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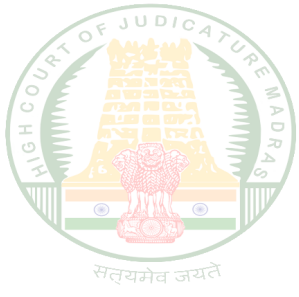
6. In the result, the Habeas Corpus Petition is allowed and the order of detention in B.B.C.D.E.F.G.I.S.S.S.V No.87/2025 dated 14.11.2025, passed by the second respondent is set aside. The detenu, viz., Sanjay Kumar, S/o.Kumar, aged about 22 years, is directed to be released forthwith unless his detention is required in connection with any other case.

(N.A.V.,J..) (K.K.R.K.,J.)
27.04.2026

Index : Yes / No
Internet : Yes / No
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To

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Secretariat, Chennai - 600 009.
2. The District Collector and District Magistrate,
O/o. the District Collector and District Magistrate,
Madurai.
3. The Superintendent of Prison,
Central Prison, Madurai.
4. The Inspector of Police,
Keelavalavu Police Station,
Madurai 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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