



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-07-2026

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CORAM

THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

HCP Nos. 397, 399 and 587 of 2026

Meena
W/o.Vignesh,
No.12, 1st Street,
Krishna Gruha Apartments,
Govindharajapuram,
Nandhivaram,
Guduvanchery,
Chengalpattu,
Tamilnadu-603 202.

..Petitioner in
HCP.Nos.397 and 399 of
2026

Arul
S/o Thangaraj,
No.09, New Colony Main Street,
West Saidapet,
Chennai-600 015.
Now I am currently Detained under
Central Prison,
Puzhal-II,
Chennai-600 066.

..Petitioner in
HCP.No.587 of 2026

Vs

1. The State of Tamil Nadu, rep.by
Secretary to Government,
Home Prohibition and Excise Department,
Government of Tamilnadu,
Fort St.George,
Chennai-600 009.

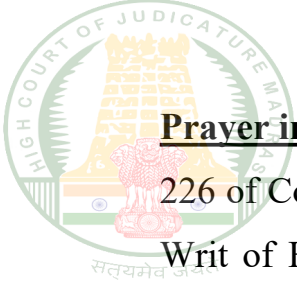


2. The Commissioner of Police,
Greater Chennai,
Office of the Commissioner of Police,
(Goondas Section),
Vepery, Chennai-600 007.
3. The Superintendent of Prison,
Central Prison, Puzhal-II,
Chennai-600 066.
4. The Inspector of Police,
J-2, Adyar Police Station,
Chennai-600 020.

..Respondent(s) in all
HCP's

Prayer in HCP No. 397 of 2026: Habeas Corpus petition filed under article 226 of Constitution of India to issue a writ, order or direction in the nature of a Writ of Habeas Corpus, to call for the records relating to the detention order dated 12.11.2025 passed by the second respondent in No.938/BBCDEFGISSSV/2025 and quash the same and direct the respondents herein to produce the petitioner's brother-in-law Gokul S/o.Sankar, aged 24 years, who is presently under going detention in the Central Prison, Puzhal-II, Chennai before this Honble court and set him at liberty forthwith and pass any other order or orders as this Honble court deem fit and proper.

Prayer in HCP No. 399 of 2026: Habeas Corpus petition filed under article 226 of Constitution of India to Writ of Habeas Corpus to call for the records relating to the detention order dated 12.11.2025 passed by the second respondent in No.943/BCDEFGISSSV/2025 and quash the same and direct the respondents herein to produce the petitioner's husband Vignesh @ Bingo S/o. Sankar, aged 28 years, who is presently under going detention in the Central prison, Puzhal-II, Chennai before this Hon'ble Court and set him at Liberty.

**Prayer in HCP No. 587 of 2026:**

Habeas Corpus petition filed under article 226 of Constitution of India to issue a Writ, order or direction in the nature of a Writ of Habeas Corpus, to call for the records relating to the detention order dated 12.11.2025 passed by the second respondent in No.940 of BBCDEFGISSSV/2025 and quash the same and direct the respondents herein to produce the petitioner/Detenu, Arul, S/o Thangaraj, aged 26 years, who is presently under going detention in the Central Prison, Puzhal - II, Chennai before this Honourable Court and set him at liberty.

In all HCP's

For Petitioner(s): Mr.K.Mohan

For Respondent(s): Mr.C.R.Malarvannan
Counsel For Government Of Tamil Nadu
(criminal Side)

Common Order

(Order of the Court was made by Dr.Anita Sumanth J.)

In HCP.No.397 of 2026, the sister-in-law of the detenu – Gokul, S/o. Sankar, branded as Goonda and confined in Central Prison, Puzhal, Chennai under detention order dated 12.11.2025 has challenged the order of detention in this HCP.

2. In HCP.No.399 of 2026, the wife of the detenu – Vignesh @ Bingo, S/o. Sankar, branded as Goonda and confined in Central Prison, Puzhal, Chennai under detention order dated 12.11.2025 has challenged the order of detention in this HCP.



3. In HCP.No.587 of 2026, the detenu – Arul, S/o. Thangaraj, branded as Goonda and confined in Central Prison, Puzhal, Chennai under detention order dated 12.11.2025 has challenged the order of detention in this HCP.

4. We have heard Mr.K.Mohan, learned counsel for the petitioner and Mr.C.R.Malarvannan, learned Counsel for Government of Tamil Nadu (Criminal Side), learned counsel for the respondents in all HCP's.

5. The main ground urged on behalf of the petitioners relates to the subjective satisfaction recorded by the detaining authority to the effect that the petitioners may be released on bail. In fact, none of the detenus have even applied for bail, and in such circumstances, we find that such apprehension is misplaced.

6. Be that as it may, the authority has placed reliance on the order passed in Crl.O.P.No.30749 of 2024 by this Court in support of his apprehension of the detenus being released. However, we find that the facts in that case are different from those in the present case. That was a case of patricide where the father of the accused had been pushed and had been done away with on account of grave and sudden provocation, whereas in the present case those facts do not arise.

7. There is no other material to support the inference of the authority, not even credible statements, recorded from the relatives of the detenus. Hence the



subjective satisfaction of the authority is nothing but mere ipse dixit, indicating non-application of mind.

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8. In light of the aforesaid discussion, these Habeas Corpus Petitions are allowed and the Detention Orders passed by the second respondent in No.938/BBCDEFGISSSV/2025, No.943/BBCDEFGISSSV/2025, and No.940/BBCDEFGISSSV/2025, all dated 12.11.2025, are set aside.

9. The detenus, viz., Gokul, S/o. Sankar, aged 24 years, Vignesh @ Bingo, S/o.Sankar, aged 28 years, and Arul, S/o.Thangaraj, aged 26 years, all confined in Central Prison, Puzhal-II, Chennai, are directed to be set at liberty forthwith unless their presence is required in connection with any other case.

(A.S.M.,J.) (S.M.,J.)

07-07-2026

dp

Index: Yes/No

Speaking

Neutral Citation: Yes

To

1. The Secretary to Government,
Home Prohibition and Excise Department,
Government of Tamilnadu,
Fort St.George,
Chennai-600 009.
2. The Commissioner of Police,
Greater Chennai,
Office of the Commissioner of Police,



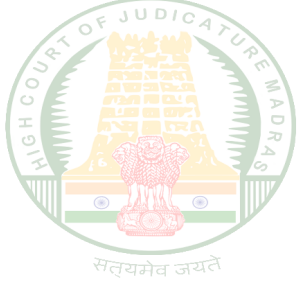
(Goondas Section),
Vepery, Chennai-600 007.

3. The Superintendent of Prison,
Central Prison, Puzhal-II,
Chennai-600 066.

4. The Inspector of Police,
J-2, Adyar Police Station,
Chennai-600 020.

5. The Public Prosecutor,
High Court, Madras.

6. The Joint Secretary to Government
Public (Law and Order),
Secretariat, Fort St.George,
Chennai – 9.



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HCP Nos. 397, 399 and 587 of 2



DR.ANITA SUMANTH J.

AND

SUNDER MOHAN J.

DP

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