



WEB COPY

HCP No. 753 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-08-2026

CORAM

THE HON'BLE MR JUSTICE N. SATHISH KUMAR

AND

THE HON'BLE MR.JUSTICE K.RAJASEKAR

HCP No. 753 of 2026

Ponnammal
W/o.Ramachandran,
No. 744, I Block,
P.V.Street, Ayanavaram,
Chennai 600 023.

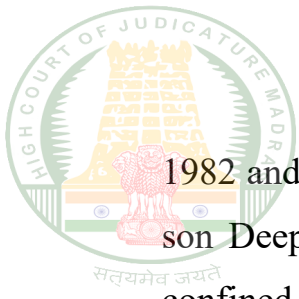
..Petitioner(s)

Vs

1. State of Tamil Nadu Rep. by
The Additional Chief Secretary,
Home, Prohibition and Excise Department,
Fort St.George, Chennai -600009.
2. The Commissioner of Police,
Greater Chennai,
Vepery, Chennai 600 007.
3. The Superintendent of Prison,
Central Prison- II,
Puzhal,,Chennai 600 066.
4. The Inspector of Police
K-2 Ayanavaram Police Station,
Chennai.

..Respondent(s)

PRAYER: Habeas Corpus Petition filed under Article 226 of the Constitution of India praying for a Writ of Habeas Corpus, to call for the records relating to the detention order in Memo No. 13/BBCDEFGISSSV/2026 dated 07.01.2026 passed by the 2nd respondent under the Tamil Nadu Act 14 of



1982 and set aside the same and direct the respondent to produce the petitioners son Deepak @ Pattani, S/o.Rajendran, aged about 21 years the detenue, now confined in Central Prison, Puzhal, Chennai before this Hon'ble Court and set the petitioners grandson Deepak @ Pattani, S/o.Rajendran aged about 21 years the detenue herein at liberty and pass such further or appropriate order which this Hon'ble Court.

For Petitioner(s): Mr.R.Muthukumar

For Respondent(s): Mr.M.Mohamed Riyaz,
Government Advocate (Crl.Side)

ORDER

(Order of the Court was made by N.Sathish Kumar J.)

The order of detention passed by the second respondent in Memo No. 13/BBCDEFGISSSV/2026 dated 07.01.2026 is sought to be quashed in the present Habeas Corpus Petition.

2. We have heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) appearing for the respondents. We have also perused the records submitted by the detaining authority.

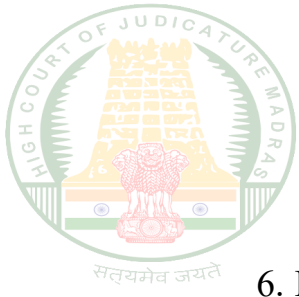
3. Though several grounds have been raised by the petitioner in the habeas corpus petition assailing the detention order, in the hearing, learned



counsel for the petitioner confined his argument only with regard to non-application of mind on the part of the detaining authority in arriving at the subjective satisfaction regarding imminent possibility of detenu being enlarged on bail while passing the impugned order of detention.

4. The learned counsel for the petitioner submitted that the detaining authority arrived at the subjective satisfaction of detenu being released on bail based on the bail granted in the case of one Vasu @ Vasudevan in CrI.M.P.No.1414 of 2021, but the facts of the said case is totally different.

5. The learned counsel drew the attention of this Court to Page No.94 of Volume II of the booklet wherein vide order 04.06.2021 bail was granted to one Vasu @ Vasudevan in CrI.M.P.No.1414 of 2021. A careful perusal of the said order, brings to light that the facts of the said case is totally different as that of the instant case. In the similar case, there is no previous case for the accused whereas in the instant case, there are three adverse cases. Therefore, taking the said bail order as the basis for arriving at subjective satisfaction regarding the imminent possibility of detenu being enlarged on bail is clearly vitiated. Therefore, the impugned preventive detention order deserves to be dislodged.



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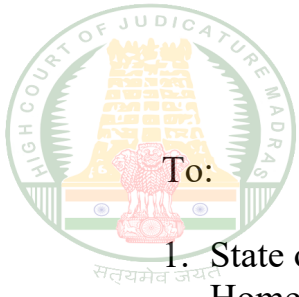
6. In the result, the detention order passed by the 2nd respondent in Memo No. 13/BBCDEFGISSSV/2026 dated 07.01.2026 is hereby set aside and the Habeas Corpus Petition is allowed. The detenu viz., Deepak @ Pattani, S/o. Rajendran, Male, aged about 21 years, is directed to be set at liberty forthwith unless he is required in connection with any other case.

(N.S.K.,J.) (K.R.S.,J.)
18-08-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

SSI

Note to Office: Registry to communicate this order to Jail authorities in Central Prison, Puzhal, Chennai, forthwith.



To:

1. State of Tamil Nadu Rep. by the Additional Chief Secretary,
Home, Prohibition and Excise Department,
Fort St.George,
Chennai -600009.
2. The Commissioner of Police
Greater Chennai,
Vepery,
Chennai 600 007.
3. The Superintendent of Prison
Central Prison- II,
Puzhal,
Chennai 600 066.
4. The Inspector of Police
K-2 Ayanavaram Police Station,
Chennai.
5. The Public prosecutor,
High Court of Madras.



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**N.SATHISH KUMAR, J.
AND
K.RAJASEKAR, J.**

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