



WEB COPY

HCP No. 1751 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-03-2026

CORAM

THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

HCP No. 1751 of 2025

Selvarani

W/o.Pandiyan, No.101/1, New Colony, Agaram
Village Kalavai Taluk, Ranipet, District.

..Petitioner(s)

Vs

1. The Secretary to the Government,
Home Prohibition and Excise Department,
Secretariat, Chennai - 600 009
2. The District Collector and District Magistrate of
Ranipet District, Ranipet.
3. The Superintendent of police,
Ranipet District, Ranipet
4. The Superintendent of Prison,
Central Prison, Vellore.
5. The Inspector of Police,
Kalavai Police Station, Ranipet, District.

..Respondent(s)

PETITION filed under Article 226 of The Constitution of India praying for issuance of a Writ of Habeas Corpus or any other Writ or Order in the nature of Writ call for the records in Connection with the Order of Detention passed by the second respondent 14.08.2025 in B3/D.O.NO.69/2025 against the petitioner SON KAVIYARASU ALIAS KAVI MALE AGED 20 YEARS



S/O.PANDIYAN who is confined at Central Prison, Vellore and set aside the same and direct the respondents to produce the detenue before the Honble Court and set him at liberty.

For Petitioner(s): MR. P.Raman

For Respondent(s): Mr. R. Muniyapparaj, Additional Public
Prosecutor Assisted By Mr. M. Sylvester
John

Order

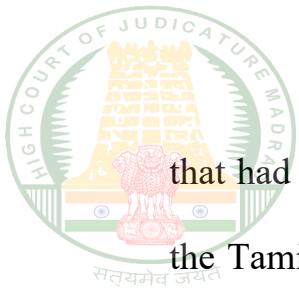
(Order of the Court was made by Dr.Anita Sumanth J.)

The challenge in this petition is to order of detention dated 14.08.2025 filed by the mother of the detenue Kaviarasu @ Kavi who has been detained as a Goonda under Section 2(f) of the Tamil Nadu Act 14/1982.

2.Mr.P.Raman, learned counsel, who appears for the petitioner points out that there have been procedural lapses that would vitiate the order. Firstly, the detaining authority has relied on an order passed in Crl.O.P.No.17529 of 2024 on 24.07.2024 to come to the conclusion that the detenu may be enlarged on bail. However, according to him, the facts are distinguishable.

3.Mr.R.Muniyapparaj, learned Additional Public Prosecutor, assisted by M.Sylvester John would rely on the grounds made out in the impugned order.

4.Having heard both learned counsel, we note that, as the petitioner rightly points out, the facts in Crl.O.P.No.17529 of 2024 are not apposite when compared with the facts of the present case. In the present case, the Sections



that had been invoked are 296(b), 109(1) of BNS, 2023 read with Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 1998. However, in the matter relied upon, the provisions of the Tamil Nadu Harassment of Women Act have not been invoked and hence the two cases stand on different footing. That apart, we also find that the booklet contains certain illegible pages, which would also vitiate the proceedings.

5. In light of the above discussion, this Habeas Corpus Petition is allowed and the Detention Order passed by the second respondent in B3/D.O.No.69/2025, dated 14.08.2025 is set aside.

6. The detenu, viz., Kaviyarasu @ Kavi, S/o. Pandiyan, aged 20 years, now confined in Central Prison, Vellore, is directed to be set at liberty forthwith, unless his presence is required in connection with any other case.

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

16-03-2026

Index: Yes/No
Speaking order
Neutral Citation: Yes

Note: Issue Today

vs

To

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3. The Superintendent of police,
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4. The Superintendent of Prison,
Central Prison, Vellore.

5. The Inspector of Police,
Kalavai Police Station, Ranipet, District.

6. The Public Prosecutor,
High Court of Madras.

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

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DR.ANITA SUMANTH J.

AND

SUNDER MOHAN J.

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