

H.C.P.No.2161 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 20.04.2026

CORAM :

THE HONOURABLE DR.JUSTICE ANITA SUMANTH
and
THE HONOURABLE MR.JUSTICE SUNDER MOHAN

H.C.P.No.2161 of 2025

Pavithra, F/A 25 years,
W/o. Vasanth,
No.10, Velayuthapani Street,
Timiri, Arcot Taluk,
Ranipet District.

.. Petitioner

VS

- 1.The State
Rep. by its Secretary to Government,
Home, Prohibition and Excise Department,
Govt. of Tamil Nadu,
Fort St.George, Chennai-600 009.
- 2.The District Collector cum District Magistrate,
Ranipet District.
- 3.The Superintendent of Police,
O/o. Superintendent of Police,
Ranipet District.
- 4.The Superintendent of Prison,
Central Prison, Vellore,
Vellore District.
- 5.The Inspector of Police,
Thimiri Police Station,
Ranipet District.

.. Respondents



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Prayer : Petition filed under Article 226 of Constitution of India praying for issuance of Writ of Habeas Corpus calling for the records of the 2nd respondent in connection with order made No.B3/D.O.No.75/2025 dated 30.08.2025, passed against the petitioner's husband Vasanth @ Kakka Vasanth aged about 24 years, S/o.Kathirvel who is confined at central prison, Vellore and quash the same and direct the respondents to produce the detenu before this Court set him at liberty.

For Petitioner : Mr.S.Thirugnanam

For Respondents : Mr.R.Muniyapparaj
Additional Public Prosecutor
assisted by
Mr.M.Sylvester John

ORDER

(Made by SUNDER MOHAN, J.)

The wife of detenu - Vasanth @ Kakka Vasanth, S/o. Kathirvel, aged 24 years, has filed this petition challenging the detention order dated 30.08.2025, branding him as 'Goonda' under Section 2(f) of the Tamil Nadu Preventive Detention Act, 1982 (Act 14/1982)

2. We have heard learned counsel for petitioner and learned Additional Public Prosecutor for respondents.

3. Though several grounds have been raised, we are of the view that the detention order is liable to be quashed on the ground that the



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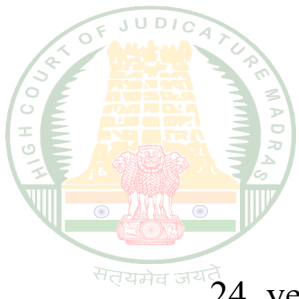
satisfaction of the detaining authority as regards the real possibility of the detenu coming out on bail suffers from non-application of mind.

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4. In the grounds of detention, the detaining authority has stated that the detenu had filed the bail application in CrI.MP.No.1125 of 2025 and the same was dismissed; that he had filed a bail application before this Court; and that in a similar case, bail was granted by the learned Principal Sessions Judge, Chennai in CrI.MP.No.26094 of 2024 on 19.09.2024.

5.The detaining authority ought to have seen whether the facts in the bail order relied upon by him was comparable to the facts of the instant case. In the instant case, there are admittedly two adverse cases against the detenu including one under Section 3 of the Tamilnadu Public Property (Prevention of Damage and Loss) Act, 1992, whereas in the order relied upon by the detaining authority, the accused therein had one previous case. The facts in the two cases are not similar and therefore, the reliance placed by the detaining authority on the said order, vitiates his subjective satisfaction as regards the possibility of the detenu coming out on bail. Hence, the detention order is liable to be quashed

6. In light of the aforesaid discussion, this Habeas Corpus Petition is allowed and the Detention Order passed by the second respondent in B3/D.O.No.75/2025 dated 30.08.2025 is set aside.



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7. The detenu, viz., Vasanth @ Kakka Vasanth, S/o. Kathirvel, aged

24 years, who is now confined in Central Prison, Vellore, is hereby 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.]
20.04.2026

Index: Yes/No

Neutral Citation: Yes/No

ssm/ars

Note : Issue Today

To

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

2. The District Collector cum District Magistrate,
Ranipet District.

3. The Superintendent of Police,
O/o. Superintendent of Police, Ranipet District.

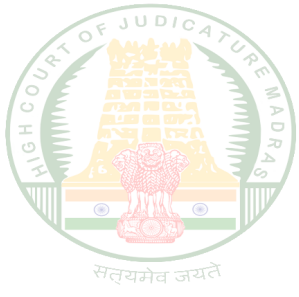
4. The Superintendent of Prison,
Central Prison, Vellore, Vellore District.

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

6. The Joint Secretary,
Law and Order Department, Secretariat, Chennai

7. The Public Prosecutor,
High Court, Madras.

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DR. ANITA SUMANTH,J.
and
SUNDER MOHAN,J.

ssm/ars

H.C.P.No. 2161 of 2025

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