

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-06-2026

CORAM

THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

HCP No. 2444 of 2025

Vela
W/o.Radhakrishnan
No.29/19, Gandhi Park Back Side, Palanipettai,
Arakkonam, Ranipet District

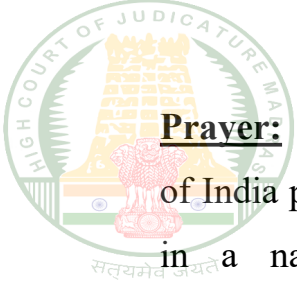
..Petitioner(s)

Vs

State rep by:

1. The Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat, Fort St.George, Chennai-9
2. The District Collector and District Magistrate
Ranipet District,
Ranipet.
3. The Superintendent of Police
Ranipet District
Ranipet.
4. The Superintendent of Police
Central Prison, Salem
5. The Inspector of Police
Arakkonam Town Police Station,
Ranipet District

..Respondent(s)



Prayer: Habeas Corpus Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ or order or direction particularly writ in a nature of writ of habeas Corpus to call for the records in B3/D.O.No.94/2025 on the file of the District Collector and District Magistrate Ranipet District, Ranipet the second respondent herein and quash the same as illegal and direct the respondent to produce the detenu Karthik Kumar, S/o.Radhakrishnan aged about 27 years, now confined at Central Prison, Salem Before this Hon'ble Court and set him at liberty.

For Petitioner(s): Ms.S.Sengkodi

For Respondent(s): Mr.C.R.Malarvannan

Counsel For Government of Tamil Nadu
(Criminal Side)

Order

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

The mother of one Karthik Kumar (detenu) S/o Radhakrishnan, who was detained as a Drug Offender under Section 2(e) of the Tamil Nadu Act 14 of 1982 (in short 'Act') has approached this Court challenging the order of detention dated 27.10.2025.

2. Learned counsel for the petitioner assails the impugned order of detention pointing out to various lacunae in the order, emphasizing that the subjective satisfaction of the detaining authority that the detenu will be enlarged on bail is wholly misconceived.



3. We have heard Ms.S.Sengkodi, learned counsel for the petitioner and Mr.C.R.Malarvannan, learned counsel for Government of Tamil Nadu (criminal Side), learned counsel for the respondents.

4. The subjective satisfaction of the detaining authority is vitiated for the reason that he relies upon an order passed in CrI.M.P.No.565 of 2023 dated 06.06.2023 by the Additional District Judge and Presiding Officer (FAC), Special Court under E.C. & NDPS Act cases, Salem. The inference that the detenu is likely to come out on bail is based on a comparison of the detenu with the accused in CrI.M.P.No.565 of 2023. However, that accused had no previous case, whereas the detenu has two previous cases.

5. Since the circumstances in the present matter are far graver, we find that the subjective satisfaction of the authority that the detenu may be enlarged on bail is misplaced, as the gravity of the offences in the present case would, no doubt, weigh with the authorities as and when the bail application filed by the detenu would be considered.

6. Hence, we find merit in the submission of the petitioner that the subjective satisfaction of the authority that bail would be granted, is nothing but mere ipse dixit.



7. 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.94/2025 dated 27.10.2025 is set aside.

8. The detenu, viz., Karthik Kumar, S/o.Radhakrishnan, male aged 27 years, who is now confined in Central Prison, Salem, 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.)

29-06-2026

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Index: Yes/No

Speaking order

Neutral Citation: Yes

Note to Registry: Issue Today.

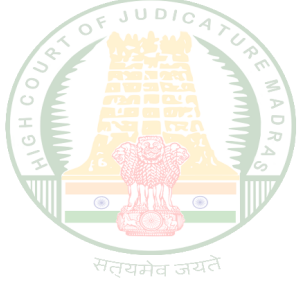
To

1. The Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat, Fort St.George, Chennai-9
2. The District Collector and District Magistrate
Ranipet District,
Ranipet.
3. The Superintendent of Police
Ranipet District, Ranipet.
4. The Superintendent of Police
Central Prison, Salem
5. The Inspector of Police
Arakkonam Town Police Station,
Ranipet District.



6. The Joint Secretary to Government,
Public (Law & Order), Secretariat,
Fort St.George, Chennai-600 009.

7. The Public Prosecutor, High Court, Madras.



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DR.ANITA SUMANTH J.

AND

SUNDER MOHAN J.

SL

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