

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-07-2026

WEB COPY

CORAM

THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

HCP No. 2483 of 2025

Ranjani
W/o.Kandaswamy,
No.100, Ekangipuram, 4th street,
Ayanavaram,
Chennai-600 023.

..Petitioner(s)

Vs

1. State of Tamilnadu Rep. By
the Secretary to the Government Prohibition and
Excise Department,
Fort St.George,
Chennai-600 009.
2. The Commissioner of Police,
Greater Chennai City
Vepery, Chennai-600 007.
3. The Inspector of police,
P-2, Otteri Police Station,
Chennai.
4. The Superintendent of prison,
Central Prison Puzhal,
Chennai.

..Respondent(s)



WEB COPY

Prayer: Habeas Corpus Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of habeas Corpus or any other appropriate writ order or direction in the nature of writ calling for the records pertaining to the Memo No.912/BBCDEFGI535V/2025 dated 05.11.2025 on the file of the 2nd respondent herein and set aside the same and direct the respondent herein to produce the Detenu Sathish, S/o.Kandaswamy aged 35 years, now confined in the Central Prison, Puzhal, Chennai before this Hon'ble Court and set him at liberty.

For Petitioner(s): No appearance

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 Sathish (detenu) S/o Kandasamy, who was detained as a Goonda under Section 2(f) of the Tamil Nadu Act 14 of 1982 (in short 'Act') has approached this Court challenging the order of detention dated 05.11.2025.

2. There is no appearance on behalf the petitioner. We have heard Mr.C.R.Malarvannan, learned counsel for Government of Tamil Nadu (criminal Side), learned counsel for the respondents.



WEB COPY

3. We find that the first bail application filed on behalf of the petitioner was dismissed on 30.10.2025 and the second bail application is pending. The authority apprehends that bail application may be allowed, and his subjective satisfaction is based on the fact that bail has been granted in the case of an accused on, according to him, identical grounds.

4. However, we are of the view that the satisfaction of the detaining authority is vitiated for the reason that his reliance upon the order passed in CrI.M.P.No.7295 of 2025 dated 11.08.2025 by the Principal Sessions Judge, Chennai is misplaced. 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.7295 of 2025. However, that accused had one previous case, whereas the detenu has three previous case.

5. Since the circumstances in the present matter are far graver, undoubtedly, the gravity of the offences in the present case would weigh with the authorities as and when the bail application filed by the detenu comes to be considered. Hence, the subjective satisfaction of the authority that bail would be granted, is nothing but mere ipse dixit.

6. In light of the aforesaid discussion, this Habeas Corpus Petition is allowed and the Detention Order passed by the second respondent in No. 912/BBCDEFGISSSV/2025 dated 05.11.2025 is set aside.



7. The detenu, viz., Sathish, S/o.Umapathy, male aged 35 years, who is now confined in Central Prison, Puzhal, Chennai, 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.)

08-07-2026

ssm

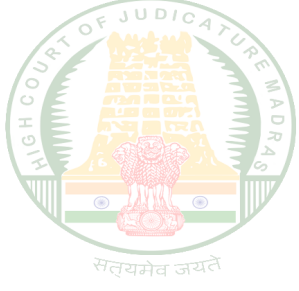
Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

To

1. The Secretary to the Government Prohibition and Excise Department,
Fort St.George,
Chennai-600 009.
2. The Commissioner of Police,
Greater Chennai City
Vepery, Chennai-600 007.
3. The Inspector of police,
P-2, Otteri Police Station,
Chennai.
4. The Superintendent of prison,
Central Prison Puzhal, Chennai.
5. The Joint Secretary to Government,
Public (Law & Order), Secretariat,
Fort St.George, Chennai-600 009.
6. The Public Prosecutor, High Court, Madras.



WEB COPY



DR.ANITA SUMANTH J.

AND

SUNDER MOHAN J.

SSM

HCP No. 2483 of 2025

08-07-2026