



HCP No. 2679 of 2025

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-04-2026

CORAM

THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

HCP No. 2679 of 2025

Amul
W/o.Selvam @ Sotta Selvam,
No.27, New Avadi Road,
Villivakkam,
Chennai-600 049.

..Petitioner(s)

Vs

1. State of Tamilnadu, Rep. by The Additional
Chief Secretary, Home,
Prohibition and Excise Department,
Fort St.George,
Chennai-600 009.
2. The Commissioner of Police,
Greater Chennai,
Chennai-600 007.
3. The Inspector of Police,
V-1 Villivakkam Police Station,
Chennai.
4. The Superintendent of Prison,
Central Prison-II,
Puzhal,
Chennai-600 066.

..Respondent(s)



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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 relating to the detention order passed in Memo No.594/BBCDEFGISSSV/2025 dated 25.08.2025 by the 2nd respondent under the Tamilnadu Act 14 of 1982 and set aside the same and direct the respondent to produce the petitioner's husband SELVAM @ SOTTA SELVAM S/o.Ramu, aged about 31 years the detenu, now confined in Central Prison-II, Puzhal, Chennai before this Hon'ble Court and set the petitioner's husband SELVAM @ SOTTA SELVAM s/o.Ramu, aged about 33 years the detenu herein at liberty.

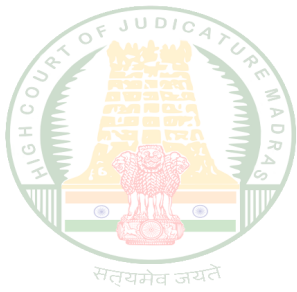
For Petitioner(s): Mr.Ilayaraja Kandasamy

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

ORDER

(Order of the Court was made by Sunder Mohan J.)

The wife of the detenu - Selvam @ Sotta Selvam, S/o.Ramu, aged 31 years, has filed this petition challenging the detention order dated 25.08.2025, branding him as 'Goonda' under Section 2(f) of the Tamil Nadu Preventive Detention Act, 1982 (Act 14/1982).



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

4. The detaining authority has relied upon a statement said to have been made by the wife of the detenu, the petitioner herein that she is taking steps to file a bail application in the ground case. However, we find from the statement which is furnished at page 40 of the booklet that the said statement is not signed. We have in HCP No. 1684 of 2025 vide order dated 01.04.2026, held that, the unsigned statement cannot be relied upon to infer that the detenu is likely to file bail application.

5. Therefore, the reliance placed on the said statement by the detaining authority to arrive at the satisfaction that there is a real possibility of the detenu coming out on bail is misconceived. The



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inference that the detenu would indulge in further criminal activities after his release also is without any basis. Hence, the detention order is liable to be quashed.

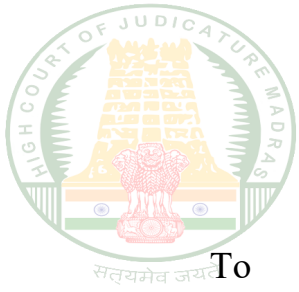
6. In light of the aforesaid discussion, this Habeas Corpus Petition is allowed and the Detention Order passed by the second respondent in No.594/BBCDEFGISSSV/2025 dated 25.08.2025 is set aside.

7. The detenu, viz., Selvam @ Sotta Selvam, S/o.Ramu, aged 31 years, who is now confined in Central Prison, Puzhal, Chennai, 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.)
22-04-2026

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

Note to office:
Issue order today.
ars



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To
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1. The Additional Chief Secretary, Home,
Prohibition and Excise Department,
Fort St.George,
Chennai-600 009.
2. The Commissioner of Police,
Greater Chennai,
Chennai-600 007.
3. The Inspector of Police,
V-1 Villivakkam Police Station,
Chennai.
4. The Superintendent of Prison,
Central Prison-II,
Puzhal,
Chennai-600 066.
5. The Public Prosecutor,
High Court, Madras.



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**DR.ANITA SUMANTH, J.
AND
SUNDER MOHAN, J.**

ars

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