



WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.04.2026

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THE HON'BLE MR JUSTICE N. ANAND VENKATESH

AND

THE HON'BLE MR JUSTICE K.K.RAMAKRISHNAN

H.C.P.(MD)No.319 of 2026

C.Sathishkumar

.. Petitioner / Father of the
detenu

Vs.

1.The State of Tamil Nadu,
represented by
the Principal Secretary to Government,
Home, Prohibition and Excise Department,
Fort St.George, Chennai-600 009.

2.The Commissioner of Police,
Madurai City, Madurai.

3.The Superintendent,
Central Prison,
Madurai.

.. Respondents

Prayer :Petition filed under Article 226 of the Constitution of India, to issue
a writ of Habeas Corpus, to call for the entire records connected with the



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detention order of the second respondent in No.70/BBCDEFGISSSV/2025 dated 26.11.2025 and quash the same as illegal and direct the respondents to produce the person or body of the detenu, namely, Sabarirajan, S/o Chandran, aged about 21 years (now detained at Central Prison, Madurai) before this Court and set him at liberty.

For Petitioner : Mr.K.Dinesh

For Respondents : Mr.A.Thiruvadikumar
Additional Public Prosecutor

ORDER

(Order of the Court was made by N. ANAND VENKATESH,J.)

The petitioner is the father of the detenu, by name, Sabarirajan, S/o Chandran, aged about 21 years. The detenu has been detained by the second respondent by his order in No.70/BBCDEFGISSSV/2025 dated 26.11.2025 holding him to be a "Goonda", as contemplated under Section 2(f) of the Tamil Nadu Act 14 of 1982. The said order is under challenge in this Habeas Corpus Petition.

2. We have heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents. We have also perused the records produced by the Detaining Authority.



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3. Apart from the other grounds that were raised by the learned counsel appearing for the petitioner, one of the main ground that was raised is that the Detaining Authority after being aware of the fact that the bail petition filed on behalf of the detenu was dismissed in the third adverse case and no bail application was filed in the ground case, came to a conclusion that steps are being taken by the relatives of the detenu to file bail application. In the ground case, the learned counsel submitted that the Detaining Authority in order to arrive at such a subjective satisfaction did not have any material and therefore, the said fact stands vitiated.

4. The Detaining Authority after being aware of the fact that the bail application in the third adverse case was dismissed and no bail application was moved in the ground case, concluded that steps are taken by the relatives to file a bail application in the ground case. To arrive at this satisfaction, there is no supporting material. Therefore, such a subjective satisfaction has been arrived at without any basis and accordingly, the detention order stands vitiated.



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5. In the result, the Habeas Corpus Petition is allowed and the order of detention in No.70/BBCDEFGISSSV/2025 dated 26.11.2025 passed by the second respondent is set aside. The detenu, viz., Sabarirajan, S/o Chandran, aged about 21 years, is directed to be released forthwith unless his detention is required in connection with any other case.

(N.A.V.,J..) (K.K.R.K.,J.)
21.04.2026

Index : Yes / No

Internet : Yes / No

TSG

To

1. The Principal Secretary to Government,
Home, Prohibition and Excise Department,
Fort St.George, Chennai-600 009.

2. The Commissioner of Police,
Madurai City, Madurai.

3. The Superintendent,
Central Prison,
Madurai.

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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**N. ANAND VENKATESH,J.
AND
K.K.RAMAKRISHNAN,J.**

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