

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 28.04.2026

CORAM

THE HON'BLE MR JUSTICE N.ANAND VENKATESH

AND

THE HON'BLE MR JUSTICE K.K.RAMAKRISHNAN

H.C.P.(MD) No.403 of 2026

R.Gopala Rao

... Petitioner

Vs

- 1.The State of Tamilnadu,
Rep by the Additional Chief Secretary to the Government,
Home, Prohibition and Excise Department,
Fort St.George, Chennai - 9.
- 2.The District Collector and District Magistrate,
Thanjavur District.
- 3.The Superintendent of Prison,
Central Prison,
Tiruchirappalli.

... Respondents

Prayer :Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus, to call for the records pertaining to the impugned detention order passed by the 2nd respondent made in his proceedings in P.D.No.45 of 2025 dated 11.08.2025 in detaining the detenu under Section 2(f) of the Tamilnadu Act 14 of 1982 as a Goonda and quash the same and



WEB COPY

direct the respondents to produce the detenu namely Aravindh Rao, S/o.Gopal Rao, male, aged about 42 years, who is detained at Central Prison, Tiruchirappalli, before this Court and set him at liberty.

For Petitioner : Mr.K.M.Karunakaran

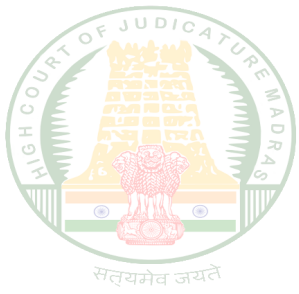
For Respondents : Mr.A.Thiruvadikumar
Additional Public Prosecutor

ORDER

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

The petitioner is the father of the detenu, by name, Aravindh Rao, S/o.Gopal Rao, aged about 42 years. The detenu has been detained by the second respondent by his order in P.D.No.45 of 2025 dated 11.08.2025 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.



WEB COPY

3. Apart from the other grounds raised by the learned counsel appearing for the petitioner, one of the main grounds that was raised is that the Detaining Authority was aware of the fact that no bail petition was pending as on the date of passing the detention order and inspite of the same, the order passed in CrI.M.P.No.1630 of 2022, dated 01.04.2022 was taken into consideration and the Detaining Authority came to the conclusion that bail has been granted in a similar case and therefore, there is likelihood of the detainee coming out on bail. The learned counsel for the petitioner submitted that the order that was relied upon by the Detaining Authority is not a similar case and therefore, the detention order suffers from non-application of mind.

4. We have carefully gone through the order passed in CrI.M.P.No. 1630 of 2022, dated 01.04.2022. That was a case where there were no previous bad antecedents for the accused therein and the Court had considered the peculiar facts of that case and granted bail. In the case in hand, there is one adverse case against the detainee apart from the ground case. Therefore, the order that was relied upon by the Detaining Authority cannot be considered to be arising out of a similar case. Consequently, the



detention order suffers from non-application of mind.

WEB COPY

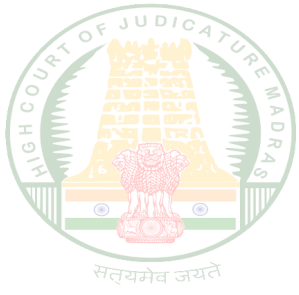
5. In the result, the Habeas Corpus Petition is allowed and the order of detention in P.D.No.45 of 2025 dated 11.08.2025, passed by the second respondent is set aside. The detenu, viz., Aravindh Rao, S/o.Gopal Rao, male, aged about 42 years, is directed to be released forthwith unless his detention is required in connection with any other case.

(N.A.V.,J..) (K.K.R.K.,J.)
28.04.2026

Index : Yes / No

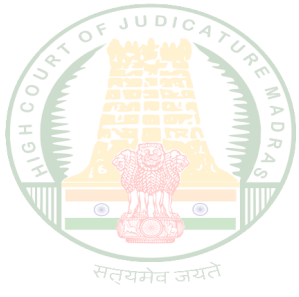
Internet : Yes / No

Indu



WEB COPY To

1. The Additional Chief Secretary to the Government,
Home, Prohibition and Excise Department,
Fort St. George, Chennai - 9.
2. The District Collector and District Magistrate,
Thanjavur District.
3. The Superintendent of Prison,
Central Prison,
Tiruchirappalli.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



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

Indu

H.C.P.(MD) No.403 of 2026

28.04.2026