

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.04.2026

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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.509 of 2026

Rengasamy

.. Petitioner / Father of the detenu
Vs.

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

2.The Commissioner of Police,
Office of the Commissioner,
Tiruchirappalli.

3.The Superintendent of Prison,
Tiruchirappalli,
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 connected with the detention order passed in C.No.68/Detention/C.P.O/TC/2025, dated 29.09.2025 and



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quash the same and direct the respondents to produce the body or person of the detenu by name, Praveenraj, son of Rengasamy, aged about 26 years, now detained as “Goonda” at Trichy Central Prison before this Court and set him at liberty.

For Petitioner : Mr.Dr.R.Alagumani

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, Praveenraj, son of Rengasamy, aged about 26 years. The detenu has been detained by the second respondent by his order in C.No.68/Detention/C.P.O/TC/2025, dated 29.09.2025, 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.

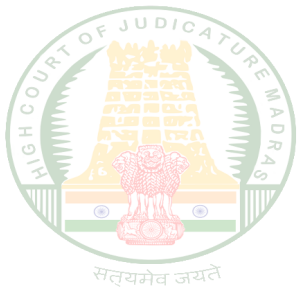
3. Apart from the other grounds that were raised by the learned counsel appearing for the petitioner, one of the main ground that was raised



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is that the Detaining Authority was aware of the fact that no bail petition was pending as on the date of passing of the detention order, but, however, the Detaining Authority had relied upon the order passed in CrI.M.P.No.76 of 2025 dated 17.02.2025 and has come to a conclusion that bail has been granted in a similar case and therefore, there is likelihood of the detenu coming out on bail. The learned counsel submitted that the order that was relied upon by the Detaining Authority does not arise out of a similar case and therefore, there is non-application of mind.

4. We have carefully gone through the order passed in CrI.M.P.No.76 of 2025. That was a case where there were no previous cases against the accused therein and the Court had also took into consideration the fact that the investigation had almost been over and the property has been recovered by the Police and handed over to the Court. In the case in hand, there were four adverse cases against the detenu apart from the ground case. Therefore, there were previous incidents against the detenu. Hence, the order that was relied upon by the Detaining Authority is certainly not a similar case and 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 C.No.68/Detention/C.P.O/TC/2025, dated 29.09.2025, passed by the second respondent is set aside. The detenu, viz., Praveenraj, son of Rengasamy, aged about 26 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.)
29.04.2026

Index : Yes / No

Internet : Yes / No

TSG

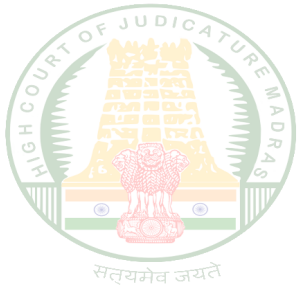
To

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

2.The Commissioner of Police,
Office of the Commissioner,
Tiruchirappalli.

3.The Superintendent of Prison,
Tiruchirappalli,
Tiruchirappalli.

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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