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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-07-2026

CORAM

THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

HCP No. 124 of 2026

Vanaja
W/o. Murugan,
No.530, 17th Block,
Nagooran Thottam, New Washermenpet,
Chennai - 600 081. ..Petitioner(s)

Vs

1. The Additional Chief Secretary to the Government, Government of Tamil Nadu, Home, Prohibition and Excise Department, Secretariat, Fort St.George, Chennai - 600 009.

2. The Commissioner of Police, Greater Chennai City, Office of Commissioner of Police, Egmore, Chennai - 600 007.

3. The Superintendent, Central Prison-II, Puzhal, Chennai.

4. The Inspector of Police, (L and O) N-4, Fishing Harbour Police Station, Chennai.

..Respondent(s)

Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus to call for the entire records connected with the order of the 2nd Respondent herein in 976/BBCDEFGISSSV/2025 dated 22.11.2025 against the petitioner son, Gokul, aged 21 years, confined at Central


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Prison Puzhal - II, Chennai and set aside the same and consequently direct the respondents herein to produce the body and person of the detenu before this Hon'ble Court and set him at Liberty.

For Petitioner(s): Mr.J.Mohanraj

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 Gokul (detenu), S/o. Murugan, who was detained as a 'Drug Offender' under Section 2(e) of the Tamil Nadu Act 14 of 1982 (in short 'Act') has approached this Court challenging the order of detention dated 22.11.2025.

2. We have heard Mr.J.Mohanraj, learned counsel for petitioner and Mr.C.R.Malarvannan, learned Counsel for Government of Tamil Nadu (Criminal Side) for respondents.

3. Several grounds have been raised on behalf of the petitioner and we find that this HCP is to be allowed on the following grounds.

3. The bail application filed by the detenu was pending, and the detaining authority infers that bail may be granted relying upon an order dated 04.06.2021 passed in Crl.M.P.No.1414 of 2021 by the Principal Special Judge, Principal Special Court under EC & NDPS Act, Chennai. However, we find that, in the comparative case the accused has no previous cases, whereas in the present case


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the detenu has two previous cases.

4. Hence, there is no basis whatsoever to opine that the detenu may be released on bail in this case as the case of the detenu is graver than the case of that compared accused. Hence, we find merit in the submission of the petitioner that the subjective satisfaction of the authority that bail would be granted, is nothing but ipse dixit.

5. In light of the aforesaid discussion, this Habeas Corpus Petition is allowed and the Detention Order passed by the second respondent in No. 976/BBCDEFGISSSV/2025 dated 22.11.2025, is set aside.

6. The detenu, viz., Gokul, S/o. Murugan, aged 21 years, confined in Central Prison Puzhal-II, 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.)
17-07-2026

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

SSM

Note to Registry : Issue Today

To

1. The Additional Chief Secretary to the Government, Government of Tamil Nadu, Home, Prohibition and Excise Department, Secretariat, Fort St.George, Chennai - 600 009.

2. The Commissioner of Police, Greater Chennai City,


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Office of Commissioner of Police,
Egmore, Chennai - 600 007.

3. The Superintendent,
Central Prison-II, Puzhal,
Chennai.

4. The Inspector of Police, (L and O)
N-4, Fishing Harbour Police Station,
Chennai.

5.The Joint Secretary to Government,
Public (Law & Order), Secretariat,
Fort St.George, Chennai-600 009.

6. The Public Prosecutor, High Court, Madras.


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DR.ANITA SUMANTH J.
AND
SUNDER MOHAN J.

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