

HCP No.184 of 2026

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

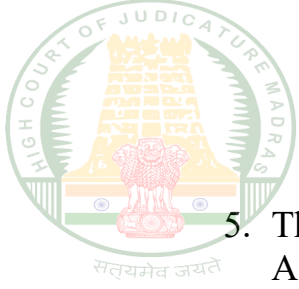
HCP No.184 of 2026

Girija
W/o.Babu,
No.2/73, ECI Church Road,
Ambedkar Nagar,
Mosur Post,
Arakkonam Taluk,
Ranipet District - 631 004.

...Petitioner

Vs

1. The State of Tamil Nadu,
Rep. by its Secretary to Government,
Prohibition and Excise Department,
Fort St. George,
Chennai - 600 009.
2. The District Collector and District Magistrate.
Ranipet District,
Ranipet.
3. The Superintendent of Police,
Ranipet,
Ranipet District.
4. The Superintendent of Prison,
Central Prison,
Vellore - 632 002.



5. The Inspector of Police,
All Women Police Station,
Arakkonam,
Ranipet District.

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...Respondents

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 in B3/D.O.No.98/2025 dated 17.11.2025 passed by the 2nd respondent and quash the same and direct the respondents to produce the petitioner's son Kumar @ Deva Kumar S/o. Babu aged about 26 years, now confined at Central Prison at Vellore and set him at liberty.

For Petitioner:

Mr.T.Arul
for Mr.D.K.Nepolean

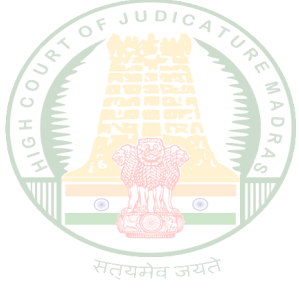
For Respondents:

Mr.C.R.Malarvannan
Counsel for Government of Tamil Nadu
(Criminal Side)

ORDER

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

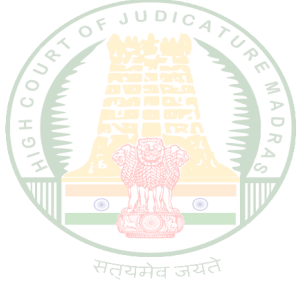
The mother of the detenu – Kumar @ Devakumar, S/o.Babu, aged 26 years, has filed this petition challenging the detention order dated 17.11.2025, branding him as a 'Sexual Offender' under Section 2(ggg) of the Tamil Nadu Preventive Detention Act, 1982 (Act 14/1982).



2. We have heard learned counsel for petitioner and learned counsel for Government of Tamil Nadu (Criminal Side) for respondents.

3. It is seen that the detaining authority has stated in the grounds of detention that the detenu has not moved any bail application; and that there is a possibility of him coming out on bail in future. Admittedly, there was no material placed before the detaining authority that the detenu or his relatives were taking steps to file a bail application. In such circumstances, inference of the detaining authority that the detenu is likely to file a bail application and come out on bail is his mere *ipse dixit*. Since the satisfaction arrived at by the detaining authority is without basis, the conclusion that the detenu would indulge in further criminal activities, is vitiated. For the above mentioned reason, the detention order is liable to be quashed.

4. In light of the aforesaid discussion, this Habeas Corpus Petition is allowed and the Detention Order passed by the second respondent in B3/D.O.No.98/2025 dated 17.11.2025, is set aside.



HCP No.184 of 2026

5. The detenu, viz., Kumar @ Devakumar, S/o.Babu, aged 26 years, who is now confined in Central Prison, Vellore, 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.)
17-07-2026

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

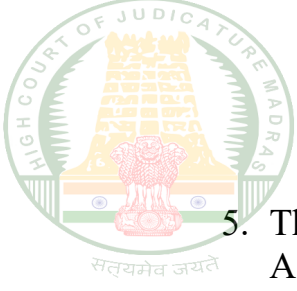
Note: Issue order copy today.
dk

To

1. The Secretary to Government
Prohibition and Excise Department,
Fort St. George,
Chennai - 600 009.
2. The District Collector and District Magistrate.
Ranipet District,
Ranipet.
3. The Superintendent of Police
Ranipet ,
Ranipet District.
4. The Superintendent of Prison,
Central Prison,
Vellore- 632 002.



HCP No.184 of 2026

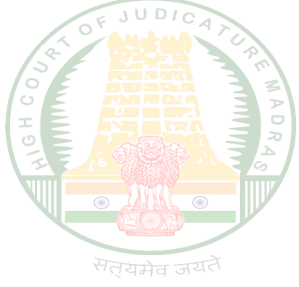


5. The Inspector of Police,
All Women Police Station,
Arakkonam,
Ranipet District.

6. The Joint Secretary,
Law and Order Department,
Secretariat, Chennai – 600 009.

7. The Public Prosecutor,
High Court of Madras.

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HCP No.184 of 2026

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

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