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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14-07-2026

CORAM

THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

HCP No. 282 of 2026

Elangovan
S/o.Thanikasalam,
No.1/28. Velalar Street,
Muppathuvetti Village,
Arcot Taluk and Ranipet District.
(Now confined at Central Prison, Vellore)

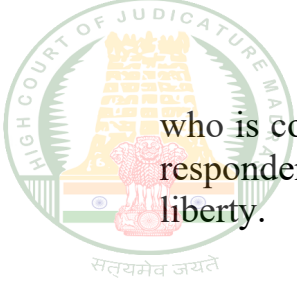
..Petitioner(s)

Vs

1. The Secretary to the Government
Home, Prohibition and Excise Dept.,
Secretariat,
Chennai - 600 009.
2. District Collector and District Magistrate of
Ranipet District,
Ranipet-1.
3. The Superintendent of Police,
Ranipet District, Ranipet.
4. The Superintendent of Prison
Central Prison, Vellore.
5. The Inspector of Police
Arcot Town Police Station,
Ranipet District.

..Respondent(s)

Petition filed under Article 226 of the Constitution of India praying to issue a writ of habeas corpus to call for the records in connection with the order of detention passed by the 2nd respondent dt. 28.11.2025 in B3/D.O.No. 104/2025 petitioner/Detenu Elangovan, Male aged 39 years S/o. Thanikasalam,



who is confined at Central Prison, Vellore and set aside the same and direct the respondents to produce the detenu before the Honble Court and set him at liberty.

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For Petitioner(s):

Ms.J.K.Madhumathi For Mr.D.Balaji

For Respondent(s):

Mr.C.R.Malarvannan,
Counsel For Government Of Tamil Nadu
(Criminal Side)

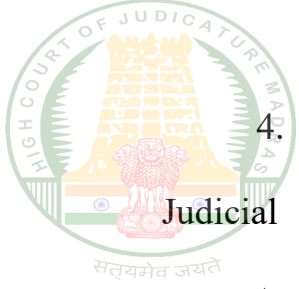
Order

(Order of the Court was made by Dr.Anita Sumanth J.)

One Elangovan (detenu) S/o. Thanikasalam, who was detained as a Goonda under Section 2(f) of the Tamil Nadu Act 14 of 1982 (in short 'Act') has approached this Court challenging the order of detention dated 28.11.2025.

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

3. Learned counsel for the petitioner submits that the detenu has not moved a bail application. Hence, the subjective satisfaction of the detaining authority that the detenu may be released on bail is mere ipse dixit. The authority goes on to note that there are fair chances of either the detenu or his relatives moving a bail application. However, as there is no credible statement that has been recorded from the relatives of the detenu, and no other material on record to support the inference, such an inference has no basis, and hence stands vitiated.



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4. That apart, a comparison of the order dated 22.04.2024 passed by the Judicial Magistrate, Sriperumbudur, in CrI.M.P.No.3348 of 2024 with the present case is misplaced, as that accused had no previous case whereas the detenu has four adverse cases. Since the circumstances in the present matter are far graver, we find that the subjective satisfaction of the authority that the detenu may be enlarged on bail based on such a comparison, is misplaced.

5. 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.104/2025 dated 28.11.2025 is set aside.

6. The detenu, viz., Elangovan, S/o. Thanikasalam, male aged 39 years, confined in Central Prison, Vellore, 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.)
14-07-2026

Index: Yes/No
Speaking order
Neutral Citation: Yes

SSM

Note to Registry : Issue Today

To

1. The Secretary to the Government
Home, Prohibition and Excise Dept.,
Secretariat, Chennai - 600 009.
2. District Collector and District Magistrate of



Ranipet District,
Ranipet-1.

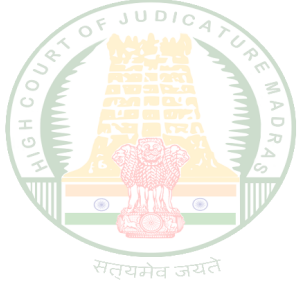
3. The Superintendent of Police
Ranipet District,
Ranipet.

4. The Superintendent of Prison
Central Prison,
Vellore.

5. The Inspector of Police
Arcot Town Police Station,
Ranipet District.

6. The Public Prosecutor,
High Court of Madras.

7. The Joint Secretary to Government,
Public (Law and Order),
Secretariat, Fort.St.George, Chennai -9.



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DR.ANITA SUMANTH J.
AND
SUNDER MOHAN J.

SSM

HCP No. 282 of 2026

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