



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-07-2026

CORAM

THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

HCP No. 281 of 2026

Saraswathy  
W/o.Pichandi,  
No.14, Big Street,  
Panapakkam, Nemili Taluk,  
Vellore District.

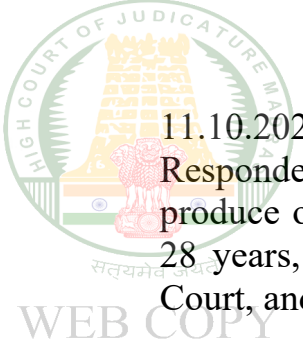
..Petitioner(s)

Vs

1. State of Tamil Nadu Represented by  
Addl. Chief Secretary, Prohibition and Excise  
Department, Secretariat, Fort St.George,  
Chennai - 600 009.
2. The District Collector and District magistrate,  
Ranipet District.
3. The Superintendent of Police,  
Superintendent Police Office,  
Ranipet District.
4. The Superintendent of Prison  
Central Prison, Vellore,  
Vellore District.
5. The Inspector of Police,  
Nemili Police Station,  
Nemili Taluk, Ranipet District.

..Respondent(s)

Petition filed under Article 226 of the Constitution of India praying to issue a writ of Habeas Corpus or any other appropriate Writ, or order, or direction, in the nature of the Writ calling for the records of the detention



11.10.2025 in detention order B3/D.O.No.92/2025 on the file of the Second Respondent herein, and quash the same and direct the Respondents herein to produce of the detenu Bagavathi @ Praveen Kumar, S/o.Pitchandi, aged about 28 years, who is now confined in Central Prison Vellore before the Hon'ble Court, and set him at liberty.

For Petitioner(s): Ms.P.Neelavathi

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 the detenu – Bagavathi @ Praveenkumar, S/o. Pitchandi, branded as 'Sexual Offender' and confined in Central Prison, Vellore under detention order dated 11.10.2025 has challenged the order of detention in this HCP.

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

3. Learned counsel for the petitioner submits that the detenu has not moved a bail application and hence, the subjective satisfaction of the detaining authority that the detenu may be released on bail is mere ipse dixit.

4. Mr.Malarvannan supports the impugned order stating that there are adverse cases as against the detenu as well.

5. The authority has noted the position that no bail application has been



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moved. Having said so, he goes on to note that there are fair chances of either the detenu or his relatives moving a bail application. It is a mystery as to how he arrives at this conclusion, as there is material to support the apprehension, not even a credible statement recorded from the relatives of the detenu. In these circumstances, we are of the view that the inference of the authority has no basis, and hence stands vitiated.

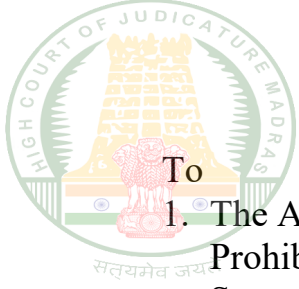
6. Incidentally, the victim has filed affidavit dated 24.07.2026 indicating her acquiescence to marry the detenu on his release from custody. Her DOB is 23.07.2008 and she has attained majority on 23.07.2026. She further states that she was in relationship with detenu, and that has given birth to child ( a boy) on 4.4.2026. She avers that the detenu is the biological father of the child.

7. 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.92/2025 dated 11.10.2025 is set aside.

8. The detenu, viz., Bagavathi @ Praveenkumar, S/o. Pitchandi, male aged 28 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.

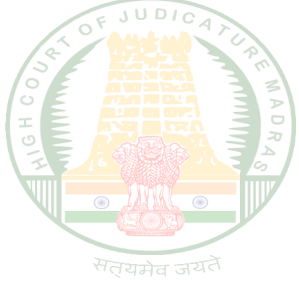
(A.S.M.,J.) (S.M.,J.)  
30-07-2026

Index: Yes/No  
Speaking order  
Neutral Citation: Yes  
ssm  
Note to Registry : Issue Today



To

1. The Addl. Chief Secretary,  
Prohibition and Excise Department,  
Secretariat, Fort St.George,  
Chennai - 600 009.
2. The District Collector and District magistrate,  
Ranipet District.
3. The Superintendent of Police,  
Superintendent Police Office,  
Ranipet District.
4. The Superintendent of Prison  
Central Prison, Vellore,  
Vellore District.
5. The Inspector of Police,  
Nemili Police Station,  
Nemili Taluk, Ranipet District.
6. The Public Prosecutor,  
High Court, 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

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