



WEB COPY

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. 301 of 2026

P.Suseela

W/o.Perumal,

Door No.3/34, Yettikuttai, Thiththiyopp Pana Alli

Village, Podara Post, Pennagaram Taluk,

Dharmapuri District.

..Petitioner(s)

Vs

1. The State of Tamilnadu, Rep. by its Additional Chief Secretary to Government, Prohibition and Excise Department (Home), Fort St.George, Chennai - 600 009.
2. The District Magistrate and District Collector, Dharmapuri, Dharmapuri District.
3. The Superintendent of Police, Dharmapuri, Dharmapuri District.
4. The Superintendent of Prison, Central Prison, Salem.
5. The Inspector of Police, Thoppur Police Station, Dharmapuri District.

..Respondent(s)

Petition filed under Article 226 of the Constitution of India praying to issue a writ or order or direction or writ in the nature of the Writ of Habeas Corpus Petition or any other appropriate writ order by calling for the records pertaining to the detention order dated 29.11.2025 in S.C.No.23/2025/C1 passed



by the 2nd respondent and issue direction to produce the detenu namely (Thiru.Perumal aged 32 years) presently confined at Central Prison, Salem before this Honourable Court and set him at liberty forthwith and quash the same and pass such further or other orders as this honourable court may deem fit and proper in the circumstances of this case.

For Petitioner(s): Mr.Swamisubramanian

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

Order

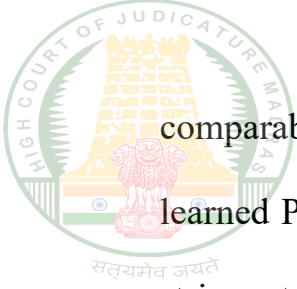
(Order of the Court was made by Dr.Anita Sumanth J.)

The wife of one Perumal (detenu), S/o. Murugesan, 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 29.11.2025.

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

3. The petitioner argues that the subjective satisfaction of the authority that a bail would definitely be granted to the detenu is vitiated as there is nothing to indicate the same.

4. The bail application filed by the detenu in CMP No. 1340 of 2025 was dismissed on 25.11.2025. Admittedly, the second bail application is pending. In



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comparable case, bail was granted wherein, the learned Judge records that the learned Public Prosecutor had no serious objection in grant of bail though with stringent conditions. In the present case, the first bail application has been dismissed which is clear that the State is putting up a vociferous objections to the grant of bail. It is hence clear that the apprehension of the authority that bail will be granted in this case for the asking, is misplaced and the case cited is not comparable.

5. In light of the aforesaid discussion, this Habeas Corpus Petition is allowed and the Detention Order passed by the second respondent in S.C.No.23/2025/C1 dated 29.11.2025, is set aside.

6. The detenu, viz., Perumal, S/o. Murugesan, aged 32 years, confined in Central Prison, Salem, 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 order
Neutral Citation: Yes

SSM

Note to Registry : Issue Today

To

1. The Additional Chief Secretary to Government,
Prohibition and Excise Department (Home),
Fort St.George, Chennai - 600 009.



2. The District Magistrate and District Collector,
Dharmapuri, Dharmapuri District.

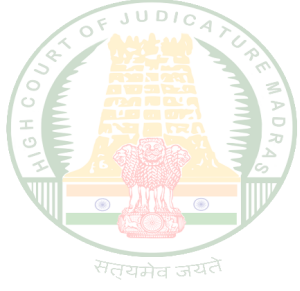
3. The Superintendent of Police,
Dharmapuri, Dharmapuri District.

4. The Superintendent of Prison,
Central Prison, Salem.

5. The Inspector of Police,
Thoppur Police Station,
Dharmapuri District.

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

7. The Public Prosecutor, High Court, Madras.



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DR.ANITA SUMANTH J.
AND
SUNDER MOHAN J.

SSM

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