



HCP No. 2250 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-07-2026

CORAM

THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

HCP No. 2250 of 2025

Jayaraman

..Petitioner(s)

Vs

1. The State of Tamil Nadu,
Rep. by the Additional Chief Secretary to
Government,
Home, Prohibition and Excise Department,
Fort St. George,
Chennai - 600 009.
2. The Commissioner of Police,
The Greater Chennai City,
Vepery, Chennai- 600 007.
3. The Superintendent of Prison,
Central Prison, Puzhal,
Chennai - 600 066.
4. The Inspector of Police,
K-8, Arumbakkam Police Station,
Chennai.

..Respondent(s)

Prayer: Petition filed under Article 226 of the Constitution of India,
seeking for a Writ of Habeas Corpus, calling for the records relating to
the detention order in Memo No. 746/BBCDEFGISSSV/2025 dated



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04.10.2025 passed by the 2nd respondent under the Tamilnadu Act 14 of 1982 and set aside the same and direct the respondents to produce the petitioner's son Arunachalam @ Mani, S/o.Jayaraman, aged about 31 years the detenu, now confined in Central Prison, Puzhal, Chennai before this Court and set him at liberty.

For Petitioner(s): Mr.P.Praveen Kumar

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

ORDER

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

The father of the detenu – Arunachalam @ Mani, S/o.Jayaraman, aged 31 years, has filed this petition challenging the detention order dated 04.10.2025, branding him as a 'Goonda' under Section 2(f) 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 from the grounds of detention that the detaining authority has stated that the detenu was in remand and that the bail



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applications filed by the detenu in Crl.M.P.No.12822/2025 and Crl.M.P.No.9319 of 2025 came to be dismissed and the third bail application filed by the detenu before this Court in Crl.O.P.No.27290 of 2025 is pending. The detaining authority has relied upon an order passed by this Court in Crl.O.P.No.13031/2025 to arrive at a conclusion that in similar cases bail has been granted by the Courts and that therefore, the detenu is likely to be released on bail by filing the bail application.

4. The detaining authority ought to have seen whether the facts in the bail order relied upon by him was comparable to the facts of the instant case. In the ground case, the quantity of banned tobacco products seized from the detenu was 342 Kilograms, however, in the order relied upon by the detaining authority, the quantity of banned tobacco products seized from the accused therein was 15 Kilograms. Therefore, the reliance placed on the said order by the detaining authority to arrive at the satisfaction that there is a real possibility of the detenu coming out on bail is misconceived. The inference that the detenu would indulge in further criminal activities after his release also is without any basis. Hence, the detention order is liable to be quashed.



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5. In light of the aforesaid discussion, this Habeas Corpus Petition is allowed and the Detention Order passed by the second respondent in No.746/BBCDEFGISSSV//2025 dated 04.10.2025 is set aside.

6. The detenu, viz., Arunachalam @ Mani, S/o.Jayaraman, aged 31 years, who is now confined in Central Prison, Puzhal, Chennai, 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.)
08-07-2026

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

Note: Issue order copy today.

To

1. The Additional Chief Secretary to Government,
Home, Prohibition and Excise Department,
Fort St. George,
Chennai - 600 009.
2. The Commissioner of Police,
The Greater Chennai City,
Vepery, Chennai- 600 007.



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3. The Superintendent of Prison,
Central Prison, Puzhal,
Chennai - 600 066.
4. The Inspector of Police,
K-8, Arumbakkam Police Station,
Chennai.
5. The Joint Secretary,
Law and Order Department,
Secretariat, Chennai
6. The Public Prosecutor,
High Court, Madras.



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

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