



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-08-2026

CORAM

THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

HCP No. 2669 of 2025

Suguntha
W/o Vadivel,
No.C 1, 1st Street,
Anna Nagar,
Arakkonam Taluk,
Kavanur,
Vellore, Tamil Nadu - 631004.

..Petitioner(s)

Vs

1. State of Tamil Nadu represented by Secretary to the Government,
Home Prohibition and Excise Department,
Fort.St.George, Chennai - 600009.
2. The District Collector and District Magistrate,
Ranipet District.
3. The Superintendent of Prison,
Central Prison Vellore,
Vellore.
4. The Superintendent of Police,
Ranipet District.
5. State rep by Inspector Of Police,
Arakkonam Town, Police Station,
Ranipet District.

..Respondent(s)

**Prayer:**

Habeas Corpus Petition filed under Article 226 of Constitution of India to issue a writ of Habeas Corpus, or any other appropriate order or direction, calling for the records of the 2nd respondent pertaining to the order made in B3/D.O.No.91/2025, Dated 08.10.2025 in detaining the detenu under the TN act 14/1982 as a brand of GOONDA and quash the same and direct the respondents to produce the detenu, the petitioners husband Vadivel, son of Munisamy, aged 44 years who is detained at the Central Prison Vellore District before this Honourable Court and set him at liberty.

For Petitioner(s): Mr.S.Karthick

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 Vadivel (detenu) S/o Munisamy, 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 order of detention dated 08.10.2025.

2. Learned counsel for the petitioner assails the impugned order of detention pointing out to various lacunae in the order, emphasizing that the subjective satisfaction of the detaining authority that the detenu will be enlarged on bail is wholly misconceived.



3. We have heard Mr.S.Karthick, learned counsel for the petitioner and Mr.C.R.Malarvannan, learned counsel for Government of Tamil Nadu (criminal Side), learned counsel for the respondents.

4. The bail petition filed by the detenu in CrI.M.P.No.1365 of 2025 was dismissed on 06.10.2025. No bail application has been filed thereafter, despite which, the authority apprehends that the detenu will institute another bail petition through his relative. However, no material is available to support such an apprehension, not even a creditable statement from a relative. The subjective satisfaction of the authority is hence unsubstantiated.

5.The detaining authority has further, relied upon a case in Cr.M.P.No.267 of 2024 which is not similar, for the reason that, in the present case, the detenu is stated to have cut and severed the arm of the defacto complainant in his attempt to murder, him whereas, in the relied-upon case, it was a case of assault and threat.

6. 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 is misplaced, as the gravity of the offences in the present case would, no doubt, weigh with the authorities if and when a second bail application is filed by the detenu.



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.91/2025 dated 08.10.2025 is set aside.

8. The detenu, viz., Vadivel, S/o.Munisamy, male aged 44 years, who is now 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.)

03-08-2026

vs

Index: Yes/No

Speaking order

Neutral Citation: Yes

Note to Registry: Issue Today.

To

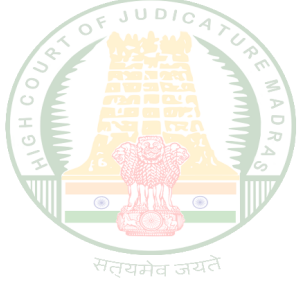
1. The Secretary to the Government,
Home Prohibition and Excise Department,
Fort.St.George, Chennai - 600009.
2. The District Collector and District Magistrate,
Ranipet District.
3. The Superintendent of Prison,
Central Prison Vellore,
Vellore.
4. The Superintendent of Police,
Ranipet District.
5. Inspector Of Police,
Arakkonam Town, Police Station,
Ranipet 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.

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