

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-06-2026

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THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

HCP Nos. 2575, 2612 & 2616 of 2025

Radha
W/o.Murugan,
First Street, Pazhamalainathar Nagar,
Virudhachalam, Virudhachalam (TK).
Cuddalore District.

..Petitioner in
HCP.No.2575 of 2025

Umamageshwari
W/O Kamaraj,
First Street, Pazhamalainathar Nagar,
Virudhachalam, Virudhachalam (Tk),
Cuddalore District.

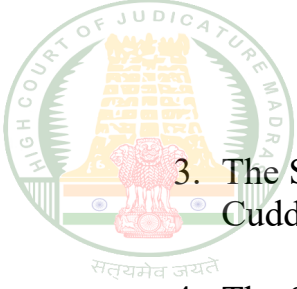
..Petitioner in
HCP.No.2612 of 2025

Radha
W/o. Murugan,
First Street, Pazhamalainathar Nagar,
Virudhachalam, Virudhachalam (Tk)
Cuddalore District.

..Petitioner in
HCP.No.2616 of 2025

Vs

1. The State of Tamil Nadu,
Rep. by its Additional Chief Secretary to
Government, Home, Prohibition and Excise
Department, Chennai 600 009.
2. The District Collector and District Magistrate,
Cuddalore District, Cuddalore.



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

4. The Superintendent,
Central Prison, Cuddalore, Cuddalore District.

5. The Inspector of Police,
Police Station, Vriudhchlam,
Virudhchlam, Cuddalore District.

..Respondent(s) in all
HCPs

Prayer in HCP No. 2575 of 2025 : Habeas Corpus Petition filed under Article 226 of the Constitution of India praying to issue an order or direction particularly in the nature of HABEAS CORPUS to call for the records in C3/D.O./109/2025 dated 06.10.2025 on the file of 2nd respondent and quash the same as illegal and consequently direct the respondents to produce the petitioner's son Siva @ Vignesh, aged about 23 years, S/o. Murugan who detained in Central Prison, Cuddalore before this Hon'ble Court and set him at liberty.

Prayer in HCP No. 2612 of 2025 : Habeas Corpus Petition filed under Article 226 of the Constitution of India praying to issue an order or direction particularly in the nature of HABEAS CORPUS to call for the records in C3/D.O./107/2025 dated 06.10.2025 on the file of 2nd respondent and quash the same as illegal and consequently direct the respondents to produce the petitioner's son Kanthavel, aged about 22 years, S/o Kamaraj who detained in Central Prison, Cuddalore before this Hon'ble Court and set him at liberty.

Prayer in HCP No. 2616 of 2025 : Habeas Corpus Petition filed under Article 226 of the Constitution of India praying to issue an order or direction particularly in the nature of Habeas Corpus to call for the records in C3/D.O/108/2025 dated 06.10.2025 on the file of 2nd respondent and quash the



same as illegal and consequently direct the respondents to produce the petitioner's son Balaji, aged about 24 years, S/o. Senthilkumar who detained in Central Prison, Cuddalore before this Hon'ble Court and set him at liberty.

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(In all HCPs)

For Petitioner(s):

Mr.M.Selvam

For Respondent(s):

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

COMMON ORDER

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

Siva @ Vignesh, S/o Murugan (detenu in HCP 2575 of 2025), Kanthavel, S/o Kamaraj (detenu in HCP No.2612 of 2025), Balaji, S/oSenthilkumar (detenu in HCP No.2616 of 2025) were detained as Goondas under Section 2(f) of the Tamil Nadu Act 14 of 1982 (in short 'Act') and the mother of the respective detenus have approached this Court challenging the orders of detention, all dated 06.10.2025.

2. Learned counsel for the petitioners assail the impugned orders of detention pointing out to various lacunae in the order, emphasizing that the subjective satisfaction of the detaining authority that the detenus will be enlarged on bail is wholly misconceived. The first bail applications filed by the detenus were dismissed and no bail application has been filed thereafter.

3. We have heard Mr.M.Selvam, 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. It is true that the first bail application filed by the detenus have been dismissed on 26.09.2025 and no bail application has been filed thereafter. The detaining authority has relied upon an order passed in Crl.M.P.No.7650 of 2023 dated 20.10.2023 by the Principal Sessions Judge, Cuddalore. However, the circumstances therein are different, in that, that accused had no previous cases, whereas in the present case the detenus have 3 previous cases each.

5. Since the circumstances in the present matter are far graver, we find that the subjective satisfaction of the authority that the detenus may be enlarged on bail is misplaced, as the gravity of the offences would, no doubt, weigh with the authorities even should a bail application be filed by the detenu. Furthermore, there is no credible statement that has been recorded from the relatives of the detenu to support the inference of the authority in regard to the obtaining of bail by the detenu.

6. In the above circumstances, we find merit in the statement of the petitioner that the subjective satisfaction of the authority that bail would be granted, is nothing but ipse dixit.

7. In light of the aforesaid discussion, these Habeas Corpus Petitions are allowed and the Detention Orders passed by the second respondent in C3/DO./109/2025, C3/DO/107/2025 & C3/DO/108/2025 all dated 06.10.2025 are set aside.



8. The detenus, viz., Siva @ Vignesh, S/o. Murugan aged 23 years, Kanthavel, S/o. Kamaraj, aged 22 years and Balaji, S/o. Senthilkumar, aged 24 years, now confined in Central Prison, Cuddalore, are directed to be set at liberty forthwith unless their presence is required in connection with any other case.

(A.S.M.,J.) (S.M.,J.)
22-06-2026

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Index: Yes/No

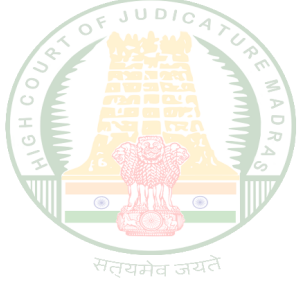
Speaking order

Neutral Citation: Yes

Note to Registry : Issue Today

To

1. The Additional Chief Secretary to Government,
Home, Prohibition and Excise Department,
Chennai 600 009
2. The District Collector and District Magistrate
Cuddalore District, Cuddalore.
3. The Superintendent of Police
Cuddalore District, Cuddalore.
4. The Superintendent,
Central Prison, Cuddalore, Cuddalore District.
5. The Inspector of Police,
Police Station, Vriudhchlam,
Virudhchlam, Cuddalore 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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HCP Nos. 2575, 2612 & 2616 of 2



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

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