

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-07-2026

CORAM

THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

HCP No. 2543 of 2025

Veerammal
W/o.Kesavan,
No. 1/11, North Street,
Kattangudi, Virudhunagar District- 626 107.

..Petitioner(s)

Vs

1. State of Tamilnadu Represented by Additional
Chief Secretary,
Home, Prohibition and Excise Department,
Fort St.George, Chennai- 600 009.
2. The Commissioner of Police
Greater Chennai,
Chennai District.
3. The Superintendent,
Central Prison, Puzhal,
Chennai.
4. The Inspector of Police
PEW Adyar Unit,
Crime No. 188/2025.
Chennai District.

..Respondent(s)

Petition filed under Article 226 of the Constitution of India praying to issue a writ of habeas corpus to call for the records relating to the detention order Vide Memo No. BBCDEFGISSSV No. 894/2025 dt. 03.11.2025 passed by the 2nd respondent and quash the same and direct the respondents herein to produce petitioner's brother namely Rajendran, Male/aged about 52 years S/o.Lekan (who is now confined in Central Prison, Puzhal) before the Hon'ble



Court and set him at liberty.

For Petitioner(s):

Mr.A.Saranraj
for Mr.E.Anandababu

For Respondent(s):

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

Order

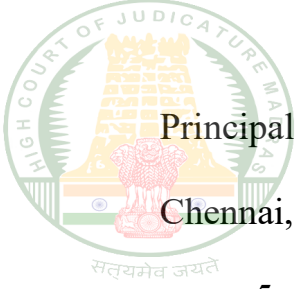
(Order of the Court was made by Dr.Anita Sumanth J.)

The sister of one Rajendran (detenu), S/o. Lekan, who was detained as a 'Drug Offender' under Section 2(e) of the Tamil Nadu Act 14 of 1982 (in short 'Act') has approached this Court challenging the order of detention dated 03.11.2025.

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.A.Saranraj, learned counsel for Mr.E.Anandababu, 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. In the present case, the detenu has filed bail application and the same is pending. The authority infers that the detenu would be successful in his attempt to obtain bail on the basis of the fact that, in CrI.M.P.No.1842/2020, the



Principal Sessions Court under the Essential Commodities & NDPS Act, Chennai, had granted bail.

5. However, a perusal of that order indicates to us that the facts in the two cases are not similar. In the present case, the detenu has two previous cases whereas in that case, there is no mention as to whether accused had any previous cases at all. This is the first point. Secondly, the bail was granted in that case as the contraband seized not had been produced, whereas in the present case, the contraband has been produced. We thus find that the subjective satisfaction of the authority that the detenu may be enlarged on bail relying on the order in Crl.M.P.No.1842 of 2020 is misplaced.

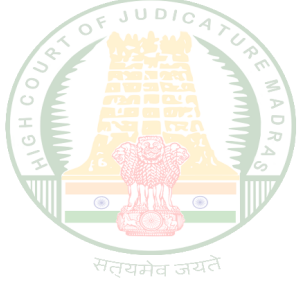
6. Hence, this Habeas Corpus Petition is allowed and the Detention Order passed by the second respondent in BBCDEFGISSSV No.894/2025 dated 03.11.2025 is set aside.

7. The detenu, viz., Rajendran, S/o.Lekan, male aged 52 years, now confined in Central Prison, Puzhal, Chennai, 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.)
13-07-2026

Index: Yes/No
Speaking order
Neutral Citation: Yes
SSM

Note to Registry : Issue Today



DR.ANITA SUMANTH J.
AND
SUNDER MOHAN J.

SSM

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To

1. The Additional Chief Secretary,
Home, Prohibition and Excise Department,
Fort St.George,
Chennai- 600 009.
2. The Commissioner of Police
Greater Chennai,
Chennai District.
3. The Superintendent
Central Prison,
Puzhal,
Chennai.
4. The Inspector of Police
PEW Adyar Unit, Chennai District.
5. The Public Prosecutor,
High Court, Madras.
6. The Joint Secretary to Government
Public (Law and Order),
Secretariat, Fort St.George, Chennai – 9.

HCP No. 2543 of 2025

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