



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 Nos. 2716 & 2747 of 2025

HCP No. 2716 of 2025

Madhumitha
W/o.Tamilpandi @ Pulipandi,
No.797, New Colony,
Somasipadi Village and Post,
Kilpenathur Taluk,
Tiruvannamalai District.

..Petitioner(s)

Vs

1. The Secretary to the Government,
Home Prohibition and Excise Department,
Secretariat, Chennai - 600 009
2. The District Collector and
District Magistrate of Tiruvannamalai District,
Tiruvannamalai.
3. The Superintendent of police,
Tiruvannamalai District, Tiruvannamalai.
4. The Superintendent of Prison,
Central Prison, Vellore.
5. The Inspector of Police,
Kilpennathur Police Station,
Tiruvannamalai District.

..Respondent(s)

HCP No. 2747 of 2025



Marytamiliarasi, Female, aged 25 years,
W/o. Thangapandi,
No,797, New Colony,
Somasipadi Village & Post, Kilpenathur Taluk,
Tiruvannamalai District.

.. Petitioner

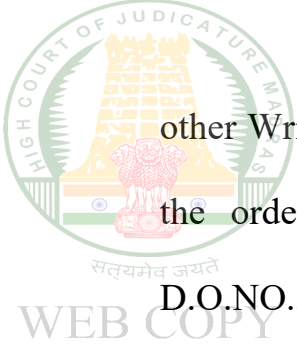
VS

1. The Secretary to the Government,
Home Prohibition and Excise Department,
Secretariat, Chennai - 600 009
6. The District Collector and
District Magistrate of Tiruvannamalai District, Tiruvannamalai.
7. The Superintendent of Police,
Tiruvannamalai District, Tiruvannamalai.
8. The Superintendent of Prison,
Central Prison, Vellore.
9. The Inspector of Police,
Kilpennathur Police Station,
Tiruvannamalai District.

.. Respondents

Prayer in HCP No. 2716 of 2025 : Petition filed under Article 226 of the Constitution of India praying to issue a WRIT OF HABEAS CORPUS or any other Writ or Order in the nature or writ call for the records in Connection with the order of Detention passed by the second respondent 18.11.2025 in D.O.NO.58/2025 C2 against the petitioner Husband TamilPandi Alias Pulipandi Male Aged 25 Years S/o.Balu who is confined at Central Prison Vellore and set aside the same and direct the respondents to produce the detenue before the Honble Court and set him at Liberty.

Prayer in HCP No. 2747 of 2025 : Petition filed under Article 226 of the Constitution of India praying to issue a WRIT OF HABEAS CORPUS or any



other Writ or Order in the nature or writ call for the records in Connection with the order of Detention passed by the second respondent 18.11.2025 in D.O.NO.57/2025 C2 against the petitioner Husband Thangapandi, male, aged 26 years, S/o. Balu who is confined at Central Prison Vellore and set aside the same and direct the respondents to produce the detenu before the Honble Court and set him at Liberty.

(In both cases)
For Petitioner(s): Mr.D.Balaji
For Respondent(s): Mr.C.R.Malarvannan
Counsel For Government Of Tamil Nadu
(Criminal Side)

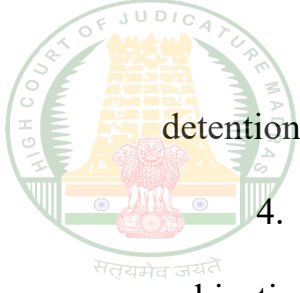
COMMON ORDER

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

We have heard Mr.D.Balaji, learned counsel for the petitioner and Mr.C.R.Malarvannan, learned counsel for Government of Tamil Nadu (Criminal Side), learned counsel for the respondents in both HCP's.

2. In HCP.No.2716 of 2026, the wife of one Tamilpandi @ Pulipandi, S/o. Balu, 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 18.11.2025.

3. In HCP.No.2747 of 2026, the wife of one Thangapandi, S/o. Balu, 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 18.11.2025.

4. One of the grounds on which the detention has been made is the subjective satisfaction of the authority that the detenus may be enlarged on bail.

To this end there is long narration set out in paragraph 5 of the impugned order where he sets out the details of the bail applications filed by the detenu as well as various other co-accused in Cr. No. 280/2025.

5. As far as the detenus are concerned, they have moved bail that had come to be dismissed on 12.11.2025. No bail application has been filed thereafter. Hence, there need have been no further apprehension on this count on the part of the authority.

6. That apart, the authority refers to the case of a co-accused in CrI.O.P.606 of 2024 dated 18.01.2024, comparing the same to the present case, and basing his apprehension on the same. However, in that case, there was history to the matter in that there was a prior assault leading to the subsequent revenge assault. On the other hand, in the present case, there is a finding of fact that there was no previous enmity between the detenu and the injured. Hence, reliance on bail order dated 18.01.2024 is clearly misplaced.

7. In *Rekha Vs. State of Tamil Nadu through Secretary to Government and another* (2011 [5] SCC 244), the Supreme Court had held that where the detention order is passed on irrelevant material, then, the detention order is liable to be quashed. Therefore, we are of the view that for the aforesaid reasons the impugned detention orders are liable to be set aside.



8. In light of the aforesaid discussion, this Habeas Corpus Petitions are allowed and the Detention Order passed by the second respondent in D.O.No.58/2025 C2 & D.O.No.57/2025 C2 dated 18.11.2025 are set aside.

9. The detenus, viz., Tamilpandi @ Pulipandi, S/o. Balu and Thangapandi, S/o. Balu, now confined in Central Prison, Vellore, 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.)
08-07-2026

Index: Yes/No
Speaking order
Neutral Citation: Yes

SSM

To

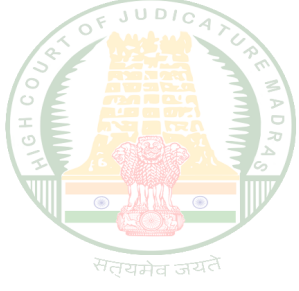
1. The Secretary to the Government,
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Tiruvannamalai District.



6. The Public Prosecutor,
High Court of Madras.

7. The Joint Secretary to Government,
Public (Law and Order),
Secretariat, Fort.St.George, Chennai -9.

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HCP Nos. 2716 & 2747 of 2



DR.ANITA SUMANTH J.
AND
SUNDER MOHAN J.

SSM

HCP Nos. 2716 & 2747 of 2025

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