



HCP No. 2746 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 21-07-2026**

CORAM

**THE HON'BLE DR.JUSTICE ANITA SUMANTH**

**AND**

**THE HON'BLE MR.JUSTICE SUNDER MOHAN**

**HCP No. 2746 of 2025**

D. Sarala  
D/o. Durairaj,  
F.No.13, 1st Street,  
Dhroupathy Street, Srinivasanagar,  
New Perungalathur, Chennai.

..Petitioner/  
Sister of the Detenu

Vs

1. The Principal Secretary to the Government,  
Home and Prohibition and Excise Department,  
Chennai – 09.
2. The Commissioner of Police,  
Greater Chennai, Chennai.
3. The Superintendent of Prison,  
Central Prison, Puzhal, Chennai.
4. The State Rep. by, The Inspector of Police,  
R3, Ashok Nagar Police Station,  
Chennai.

..Respondent(s)

Prayer : Petition filed under Article 226 of Constitution of India praying for issuance of Writ of Habeas Corpus, calling for the records vide order No.975/BBCDEFGISSSV/2025 dated 21.11.2025 on the file of the 2nd



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respondent and set aside the same and to produce petitioner's brother D.Dhananchezhiyan, son of Durairaj, now confined at Central Prison II, Puzhal and set him at Liberty.

|                    |                                                                               |
|--------------------|-------------------------------------------------------------------------------|
| For Petitioner(s): | Mr.S.Sathish Kumar                                                            |
| For Respondent(s): | Mr.C.R.Malarvannan<br>Counsel for Government of Tamil Nadu<br>(Criminal Side) |

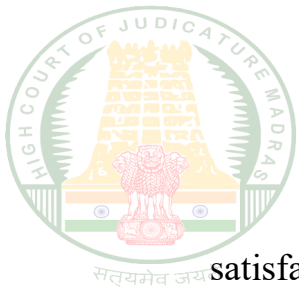
### **ORDER**

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

The sister of detenu – Dhananchezhiyan, aged 42 years, S/o.Durairaj, has filed this petition challenging the detention order dated 21.11.2025, 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. Though several grounds have been raised, we are of the view that the detention order is liable to be quashed on the ground that the



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satisfaction of the detaining authority as regards the real possibility of the detenu coming out on bail suffers from non-application of mind.

4. In the grounds of detention, the detaining authority has stated that the detenu had filed a bail application in CrI.M.P.No.11368 of 2025 before the Principal District and Sessions Court, Chennai, and the same is pending. The detaining authority has relied upon an order dated 10.12.2024 passed by this Court in CrI.O.P.No. 30749 of 2024 to infer that the detenu is likely to be released on bail.

5. We find that the facts in the said case relied upon by the detaining authority are not similar. In that case, the occurrence took place due to a sudden quarrel and the accused therein did not intend to cause the death of his own father, who fell down pursuant to the quarrel, sustained injuries and succumbed to the injuries. The facts in the present case are totally different, as the detenu is accused of causing the death of the deceased, on account of prior enmity. Therefore, the reliance placed on the order in CrI.O.P.No.30749 of 2024 is misconceived and consequently, the subjective satisfaction that the detenu is likely to be



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released on bail, is vitiated. For the aforesaid reason, the impugned order is liable to be quashed.

6. In light of the aforesaid discussion, this Habeas Corpus Petition is allowed and the Detention Order passed by the second respondent in No.975/BBCDEFGISSV/2025 dated 21.11.2025, is set aside.

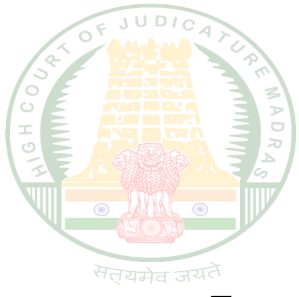
7. The detenu, viz., Dhananchezhiyan, aged 42 years, S/o.Durairaj, who is now confined in Central Prison, Puzhal, Chennai, is hereby directed to be set at liberty forthwith unless his presence is required in connection with any other case.

(A.S.M.,J.) (S.M.,J.)  
21-07-2026

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

Issue order copy today.

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To

1. The Principal Secretary to the Government,  
Home and Prohibition and Excise Department,  
Chennai – 09.
2. The Commissioner of Police,  
Greater Chennai, Chennai.
3. The Superintendent of Prison,  
Central Prison, Puzhal, Chennai.
4. The Inspector of Police,  
R3, Ashok Nagar Police Station,  
Chennai.
5. The Joint Secretary,  
Law and Order Department,  
Secretariat, Chennai – 600 009.
6. The Public Prosecutor,  
High Court of Madras.



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

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