



WEB COPY



HCP.No.93 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.01.2025

CORAM :

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR. JUSTICE M.JOTHIRAMAN

H.C.P.No.93 of 2025

Padmanaban

... Petitioner

Vs.

1.The Additional Chief Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat, Chennai – 600 009.

2.The Commissioner of Police,
Greater Chennai Police,
Vepery, Chennai – 08.

3.The Superintendent,
Central Prison, Puzhal,
Chennai – 600 066.

4.Inspector of Police, Law and Order,
F-2, Egmore Police Station,
Chennai.

... Respondents



HCP.No.93 of 2025

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, call for records in connection with the order of detention passed by the second respondent dated 06.12.2024 in No.1206/BCDFGISSSV/2024 against my son SARANRAJ, Male, aged about 23 S/O.Padmanaban, who is confined in Central Prison, Puzhal and set aside the same and consequently direct the respondents herein to produce the detainee currently detained under the Tamil Nadu Act 14/1982 before this Hon'ble Court and set him at liberty.

For Petitioner : Mr.N.Subramanian

For Respondents : Mr.R.Muniyapparaj
Additional Public Prosecutor

ORDER

(Order of the Court was made by *S.M.SUBRAMANIAM, J.*)

The order of detention passed by the second respondent in No.1206/BCDFGISSSV/2024 dated 06.12.2024 is sought to be quashed in the present Habeas Corpus Petition.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing on behalf of the respondents.



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3. Three adverse cases are relied on along with the ground case for invoking Act 14 of 1982. Mere involvement of a person in a Criminal Case would be insufficient to invoke Preventive Detention Law. All the cases relied on can be dealt with by the Police authorities under the ordinary law. Therefore, this Court is of the considered opinion that the element of subjective satisfaction is missing and thus, we are inclined to interfere with the impugned order.

4. Accordingly, the impugned order of detention passed by the 2nd respondent in No.1206/BCDFGISSSV/2024 dated 06.12.2024 is quashed and the Habeas Corpus Petition stands **allowed**. The detainee, namely, Saranraj, S/o.Padmanaban, aged about 23 years, now confined in Central Prison, Puzhal, Chennai, is directed to be set at liberty forthwith unless he is otherwise required in connection with any other case.

[S.M.S., J.]

[M.J.R., J.]

30.01.2025

Index : Yes/No
Speaking Order : Yes/No
Neutral Citation : Yes/No

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- To
- 1.The Additional Chief Secretary to Government,
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 - 2.The Commissioner of Police,
Greater Chennai Police,
Vepery, Chennai – 08.
 - 3.The Superintendent,
Central Prison, Puzhal,
Chennai – 600 066.
 - 4.Inspector of Police, Law and Order,
F-2, Egmore Police Station,
Chennai.
 - 5.The Joint Secretary to Government,
Public (Law and Order),
Fort St.George,
Chennai.
 - 6.The Additional Public Prosecutor,
Madras High Court.



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S.M.SUBRAMANIAM, J.
AND
M.JOTHIRAMAN, J.

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