



HCP.No.1214 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 17.11.2025

CORAM

THE HONOURABLE MR . JUSTICE N.SATHISH KUMAR

AND

THE HONOURABLE MR. JUSTICE M.JOTHIRAMAN

H.C.P.No.1214 of 2025

Rajamma

... Petitioner

Mother of the detenue

Versus

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

.. Respondents



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Prayer:- Habeas Corpus Petition filed under Article 226 of the Constitution of India praying for a Writ of Habeas Corpus to call for the records in connection with the order of detention passed by the second respondent dated 17.06.2025 in D.O.No.28/2025-C2 against petitioner's daughter Suguna @ Thattammal, W/o. (Late) Palani, Female, aged 40 years, who is confined at Special Prison for Women, Vellore and set aside the same and direct the respondents to produce the detenu before this Court and set her at liberty.

For Petitioner : Mr.D.Balaji

For Respondents : Mr.A.Gokulakrishnan
Additional Public Prosecutor

ORDER

(Order of the Court was made by N.SATHISH KUMAR, J.)

The petitioner, who is the mother of the detenu Suguna @ Thattammal, W/o. (Late) Palani, Female, aged 40 years, has come forward with this petition challenging the detention order passed by the second respondent dated 17.06.2025 bearing reference D.O.No.28/2025-C2 slapped on her daughter, branding her as "Bootlegger" under the Tamil Nadu Prevention of Dangerous Activities of Bootleggers, Drug Offenders, Forest Offenders, Goondas, Immoral Traffic Offenders, Sand Offenders, Slum Grabbers and Video Pirates Act, 1982 [Tamil Nadu Act 14 of 1982].



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

3. Though several grounds have been raised by the petitioner in the habeas corpus petition assailing the detention order, in the hearing, learned counsel for the petitioner confined his argument only with regard to non-application of mind on the part of the detaining authority in arriving at the subjective satisfaction regarding imminent possibility of detainee being enlarged on bail while passing the impugned order of detention.

4. Learned counsel for the petitioner submitted that the detaining authority has arrived at the subjective satisfaction of detainee being released on bail based on the bail granted to one Suji @ Sujatha, W/o. Sampath in CrI.M.P.No.727/2023, but the facts of the said case is totally different.

5. The learned counsel drew the attention this Court to Page No.117 of Volume II of the booklet wherein vide order dated 01.03.2023 bail was granted to one Suji @ Sujatha, W/o. Sampath in CrI.M.P.No.727/2023. A



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careful perusal of the said order, brings to light that in the said case the petitioner had no previous case but in the case on hand, the petitioner is having 35 previous cases. Therefore, taking the said bail order as the basis for arriving at subjective satisfaction regarding imminent possibility of detainee being enlarged on bail is clearly vitiated. Therefore, the impugned preventive detention order deserves to be dislodged.

6. In the result, the detention order passed by the 2nd respondent dated 17.06.2025 in D.O.No.28/2025-C2 is hereby set aside and the Habeas Corpus Petition is allowed. The detainee viz., Suguna @ Thattammal, W/o.(Late) Palani, Female, aged 40 years, is directed to be set at liberty forthwith unless he is required in connection with any other case.

[N.S.K.,J.] [M.J.R.,J.]
17.11.2025

Index: Yes/No
Neutral Citation: Yes/No
gpa



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High Court, Madras.



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