



HCP.No.1581 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 27.10.2025

CORAM

THE HONOURABLE MR . JUSTICE N.SATHISH KUMAR

AND

THE HONOURABLE MR. JUSTICE M.JOTHIRAMAN

H.C.P.No.1581 of 2025

Vijayalakshmi

... Petitioner/
Wife of the detenu

Versus

1. State of Tamil Nadu
Rep. By its Additional Chief
Secretary to Government
Home, Prohibition and Excise Department
Secretariat, Chennai – 600 009
2. The Commissioner of Police
Greater Chennai
3. The Inspector of Police
F-5, Choolaimedu Police Station
Chennai
4. The Superintendent
Central Prison,Puzhal, Chennai

.. 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 entire records relating to the petitioner's husband detention under Tamil Nadu Act 14 of 1982 vide detention order dated 23.06.2025 on the file of the second respondent herein made in proceedings No.398/BCDFGISSSV/2025 and quash the same as illegal and consequently direct the respondents herein to produce the said petitioner's husband, namely Vinoth, aged 24 years, son of Ramachandran, before this Court and set him at liberty, now petitioner's husband is detained at Central Prison, Puzhal, Chennai – 600 066.

For Petitioner : Mr.M.Mohamed Saifulla
for Mr.C.C.Chellappan

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 wife of the detenu Vinoth, male, aged 24 years, S/o.Ramachandran, has come forward with this petition challenging the detention order passed by the second respondent dated 23.06.2025 bearing reference 398/BCDFGISSSV/2025 slapped on her husband, branding him as "Goonda" under the Tamil Nadu Prevention of Dangerous Activities of Bootleggers, Drug Offenders, Forest Offenders, Goondas, Immoral Traffic Offenders, Sand Offenders, Slum Grabbers and Video



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Pirates Act, 1982 [Tamil Nadu Act 14 of 1982].

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 detenu being enlarged on bail while passing the impugned order of detention.

4. The learned counsel for the petitioner submitted that the detaining authority has arrived at the subjective satisfaction of detenu being released on bail based on the bail granted to one Gokul Raj in CrI.M.P.No.26094 of 20214, but the facts of the said case is totally different.

5. The learned counsel drew the attention this Court to Page No.48 of Volume II of the booklet wherein vide order 19.09.2024 bail was granted to one Gokul Raj in CrI.M.P.No.26094 of 2024. A careful perusal of the said



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order, brings to light that the facts of the said case is totally different as that of the instant case. Therefore, taking the said bail order as the basis for arriving at subjective satisfaction regarding the imminent possibility of detenu being enlarged on bail is clearly vitiated. Therefore, the impugned preventive detention order deserves to be dislodged.

7. In the result, the detention order passed by the 2nd respondent dated 23.06.2025 bearing reference No.398/BCDFGISSSV/2025 is hereby set aside and the Habeas Corpus Petition is allowed. The detenu viz., Vinoth, male, aged 24 years, S/o.Ramachandran, 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.]
27.10.2025

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



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



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