



WEB COPY



HCP No. 57 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-06-2026

CORAM

THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

HCP No. 57 of 2026

R.Meharnisha

..Petitioner(s)

Vs

1. The State of Tamil Nadu,
Represented by its,
The Additional Chief Secretary to Government,
Home, Prohibition and Excise Department,
Fort St.George, Chennai - 600 009.
2. The District Magistrate and District Collector,
Thiruvarur District,
Thiruvarur.
3. The Superintendent of Police,
Thiruvarur District,
Thiruvarur.
4. The Superintendent of Prisons,
Thiruchirappalli Central Prison,
Trichy District.
5. The Inspector of Police,
Thiruthuraipoondi Circle Police station,
Thiruvarur District.

..Respondent(s)



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Prayer : Petition filed under Article 226 of Constitution of India praying for issuance of Writ of Habeas Corpus, calling for the records in C.O.C.No.24/2025 dated 03.09.2025 on the file of the District Magistrate and District collector, Thiruvarur District, the Second Respondent herein and quash the same as illegal and direct the respondents to produce the detenu Riyash Agamed son of Shahul Hameed, aged 30 years now confined at Central Prison Trichy before this court and set him at liberty.

For Petitioner(s):	No appearance
For Respondent(s):	Mr.C.R.Malarvannan, Counsel for Government of Tamil Nadu (Criminal Side)

ORDER

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

The wife of detenu - Riyash Agamed, S/o.Shahul Hameed, aged 30 years, has filed this petition challenging the detention order dated 03.09.2025, 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.



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3. Though several grounds have been raised, we are of the view that the detention order is liable to be quashed on the sole ground that the 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 has moved a bail application in Crl.M.P.No.216 of 2025 before the Judicial Magistrate Court, Thiruthuraipoondi and that the same came to be dismissed on 11.08.2025. There is no material before the Detaining Authority as to whether the detenu intended to file a bail application and is likely to be released on bail. In such circumstances, inference of the detaining authority that the detenu is likely to file a bail application and come out on bail is his mere *ipse dixit*. Since the satisfaction arrived at by the detaining authority is without basis, the conclusion that the detenu would indulge in further criminal activities, is vitiated. For the said reason, the detention order is liable to be quashed.



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5. In light of the aforesaid discussion, this Habeas Corpus Petition is allowed and the Detention Order passed by the second respondent in C.O.C.No.24/2025 dated 03.09.2025, is set aside.

6. The detenu, viz., Riyash Agamed, S/o.Shahul Hameed, aged 30 years, who is now confined in Central Prison, Tiruchirappalli, 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.)
08-06-2026

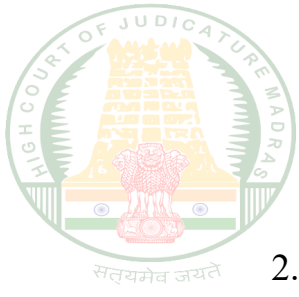
Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

Issue order copy today.

TSG

To

1. The State of Tamil Nadu,
Represented by its,
The Additional Chief Secretary to Government,
Home, Prohibition and Excise Department,
Fort St.George, Chennai - 600 009.



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2. The District Magistrate and District Collector,
Thiruvarur District,
Thiruvarur.
3. The Superintendent of Police,
Thiruvarur District,
Thiruvarur.
4. The Superintendent of Prisons,
Thiruchirappalli Central Prison,
Trichy District.
5. The Inspector of Police,
Thiruthuraipoondi Circle Police station,
Thiruvarur District.
6. The Joint Secretary,
Law and Order Department, Secretariat, Chennai
7. The Public Prosecutor,
High Court, Madras.



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

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