



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-06-2026

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THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

HCP No. 192 of 2026

Kalaiselvi
W/o. Sekar,
No.638, Annamalai Nagar,
Koothandam,,
Sivagangai - 630 562.

..Petitioner(s)

Vs

1. State of Tamil Nadu Rep.by, Secretary to Government Home, Prohibition and Excise Department, Secretariat, Chennai - 600 009.
2. The District Magistrate and District Collector, Tiruppur District , Tiruppur.
3. The Superintendent of Police, Tiruppur District.
4. The Superintendent of Police, Central Prison, Coimbatore.
5. The Inspector of Police, Law and Order, N3, Palladam Police Station, Tiruppur District.

..Respondent(s)



Prayer: Habeas corpus petition filed under Article 226 of Constitution of India for issuance of a Writ of Habeas Corpus or any other writ or order in the nature of writ call for records in connection with the order of detention passed by the 2nd respondent dated 21.09.2025 in CR.M.P.No.82/Goonda/2025 against the petitioners son Arunkumar, male aged about 25 years S/o. Sekar Who is confined at Central Prison, Coimbatore and set aside the same and consequently direct the respondents to produce the detenue before the Honble Court and set him at Liberty.

For Petitioner(s): Mr.B.Boopathy

For Respondent(s): Mr. C.R. Malarvannan. Counsel For
Government Of Tamil Nadu (criminal
Side)

ORDER

(Order of the Court was made by Dr.Anita Sumanth J.)

The mother of detenu – Arunkumar, S/o.(Late) Sekar, aged 25 years, has filed this petition challenging detention order dated 21.09.2025 branding him as ‘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), learned counsel for respondents.

3. Both learned counsel accede to the position that this Court has considered the case of co-detenu in HCP No.2114 of 2025 vide order dated



29.04.2026 and quashed the order of detention in the case of the co-detenu. The relevant portion of order dated 29.04.2026 reads as follows:

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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 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 had filed the bail application in Crl.MP.No.2301 of 2025 before the Principal District and Sessions Judge, Tiruppur and the same is pending and that in a similar case, bail was granted by the Principal Sessions Court, Tiruppur in Crl.MP.No.1629 of 2023 on 28.07.2023.*

5. *The detaining authority ought to have seen whether the facts in the bail order relied upon by him was comparable to the facts of the instant case. In the order relied upon by the detaining authority, the accused therein was granted bail because he had one previous case, whereas, in this case, the detenu has two adverse cases. Therefore, the reliance placed by the detaining authority on the said order, vitiates his subjective satisfaction as regards the possibility of the detenu coming out on bail. Hence, the detention 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 Cr.M.P.No.81/GOONDA/2025 dated 21.09.2025, is set aside.*

7. *The detenu, viz., Ajith, S/o.(Late) Naganathan, aged 23 years, who is now confined in Central Prison, Coimbatore, is hereby directed to be set at liberty forthwith unless his presence is required in connection with any other case.*

4. In light of the identity in facts and legal position, this Habeas Corpus Petition is allowed and the Detention Order passed by the second respondent in CR.M.P.No.82/Goonda/2025 dated 21.09.2025 is set aside.



5. The detenu, viz., Arunkumar, S/o. (Late) Sekar, aged 25 years, who is now confined in Central Prison, Coimbatore, 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.)

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Index: Yes/No

Speaking order

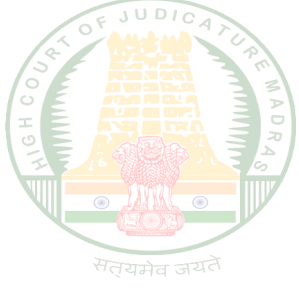
Neutral Citation: Yes

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Note: Issue today.

To

1. State of Tamil Nadu Rep.by, Secretary to Government Home, Prohibition and Excise Department, Secretariat, Chennai - 600 009.
2. The District Magistrate and District Collector, Tiruppur District, Tiruppur.
3. The Superintendent of Police, Tiruppur District.
4. The Superintendent of Police, Central Prison, Coimbatore.
5. The Inspector of Police, Law and Order, N3, Palladam Police Station, Tiruppur District.
6. The Public Prosecutor, High Court Madras.
7. The Joint Secretary to Government, Public (Law and Order), Fort. St. George, Chennai - 600 009.



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DR.ANITA SUMANTH J.

AND

SUNDER MOHAN J.

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