



HCP No. 177 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30-06-2026

CORAM

THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

HCP No.177 of 2026

Suba
W/o.Kuzhandaivelu,
No.1/14, Pillaiyar Kovil Street,
Navamal Marudur,
Villupuram - 605 102.

...Petitioner/Mother of
the Detenu

Vs

1. The State rep.by,
The Additional Chief Secretary to Government,
Home, Prohibition and Excise (XVI) Dept,
Fort St.George,
Secretariat,
Chennai-600 009.
2. The District Collector/District Magistrate,
O/o. District Collector,
Villupuram District.
3. The Superintendent of Prisons,
Central Prison,
Cuddalore.
4. The Inspector of Police,
Kandamangalam Police Station,
Villupuram District.

...Respondents



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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 detention order in No.C2/49/2025 dated 14.10.2025 on the file of the 2nd respondent and set aside the same and direct the respondents herein to produce the son of the petitioner detenu namely Mr.Praveen S/o.Kuzhandaivelu aged about 24 years now confined at Central Prison at Cuddalore before this Court and set him at liberty.

For Petitioner:

M/S.Aravind Chandrasekaran

For Respondents:

Mr.C.R.Malarvannan

Counsel for Government of Tamil Nadu
(Criminal Side)**ORDER****(Order of the Court was made by Sunder Mohan J.)**

The mother of the detenu – Praveen, S/o.Kuzhanthaivelu aged 24 years, has filed this petition challenging the detention order dated 14.10.2025, branding him as a ‘Drug Offender’ under Section 2(e) of the Tamil Nadu Preventive Detention Act, 1982 (Act 14/1982).

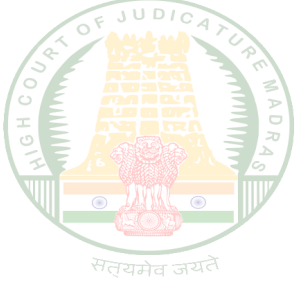
2. We have heard learned counsel for petitioner and learned counsel for Government of Tamil Nadu (Criminal Side) for respondents.



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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 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 not moved any bail application. However, he has stated that there is real possibility of the detenu coming out on bail by filing appropriate bail application. Admittedly, there was no material placed before the detaining authority that the detenu or his relatives were taking steps to file a bail application. 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 above mentioned reason, the detention order is liable to be quashed.



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5. Accordingly, this Habeas Corpus Petition is allowed and the

Detention Order passed by the second respondent in Detention Order in

Rc.No.C2/49/2025 dated on 14.10.2025 is set aside.

6. The detenu, viz., Praveen, S/o.Kuzhanthaivelu aged 24 years, now confined in Central Prison, Cuddalore, is 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.)
30-06-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

Note : Issue Order copy today.

dk



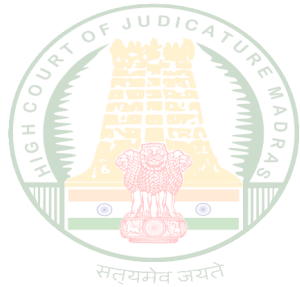
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To

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1. The Additional Chief Secretary to Government,
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Chennai-600 009.
2. The District Collector/District Magistrate,
O/o. District Collector,
Villupuram District.
3. The Superintendent of Prisons,
Central Prison,
Cuddalore.
4. The Inspector of Police,
Kandamangalam Police Station,
Villupuram District.
5. The Joint Secretary,
Law and Order Department,
Secretariat, Chennai – 600 009.
6. The Public Prosecutor,
High Court of Madras.



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

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