



WEB COPY



HCP No. 285 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-04-2026

CORAM

THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

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Gopalakrishnan

..Petitioner(s)

Vs

1. The State of Tamil Nadu
rep by the Principal Secretary to Government,
Home, Prohibition and Excise Department,
Fort St.George, Chennai – 600 009.
2. The District Magistrate and District Collector,
Tiruppur District,
Tiruppur.
3. The Superintendent of Prison,
Central Prison, Coimbatore.
4. The Superintendent of Police
Tiruppur District, Tiruppur.
5. The Inspector of Police
Palladam Police Station, Tiruppur.

..Respondent(s)

Prayer : Petition filed under Article 226 of Constitution of India praying for issuance of Writ of Habeas Corpus, calling for the records pertaining to the impugned detention order passed by the 2nd respondent made in his



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proceedings Cr.M.P.No.66/Goonda/2025 dated 23.08.2025 in detaining the detenu under Section 2(f) of the Tamilnadu Act 14 of 1982 as a “Goonda” and quash the same and direct the respondents to produce the Detenu namely Gopalakrishnan, S/o.Ramesh, Male, aged about 23 years, who is now detained in Central Prison, Coimbatore, before this Court and set him at liberty.

For Petitioner(s): Mr.O.S.Thilak Pasumbadiyar

For Respondent(s): Mr. R.Muniyapparaj,
Additional Public Prosecutor,
Assisted By
Mr. M.Sylvester John

ORDER

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

The detenu – Gopalakrishnan, S/o.Ramesh, aged about 23 years, has filed this petition challenging the detention order dated 23.08.2025, 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 Additional Public Prosecutor 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 though the detenu had not filed any bail application, there is a possibility of the detenu coming out on bail, since in a similar case, accused therein have been granted bail by the Principal Sessions Court, Tiruppur in Cr.MP.No.708 of 2023. However, 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* without any basis. Since the satisfaction arrived at by the detaining authority is erroneous, further conclusion that the detenu would indulge in further criminal activities also, is without any basis. Hence, 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 Cr.M.P.No.66/GOONDA/2025 dated 23.08.2025 is set aside.

6. The detenu, viz., Gopalakrishnan, S/o.Ramesh, aged about 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.

(A.S.M.,J.) (S.M.,J.)
27-04-2026

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

Tsg

To

1. The State of Tamil Nadu
rep by the Principal Secretary to
Government,
Home, Prohibition and Excise Department,
Fort St.George, Chennai – 600 009.
2. The District Magistrate and District
Collector, Tiruppur District, Tiruppur.



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3. The Superintendent of Prison,
Central Prison, Coimbatore.
4. The Superintendent of Police
Tiruppur District, Tiruppur.
5. The Inspector of Police
Palladam Police Station, Tiruppur.
6. The Public Prosecutor,
Madras High Court.



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

Tsg

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