



HCP No. 524 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

HCP No. 524 of 2026

Babu @ Babulal

..Petitioner(s)

Vs

1. The State of Tamil Nadu
Rep. by its,
The Additional Chief Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat, Chennai - 600 009.
2. The Commissioner of Police,
Greater Chennai.
3. The Superintendent of Prison,
Central Prison,
Puzhal, Chennai - 66.
4. The Inspector of Police,
Railway Police Station,
Royapuram, Chennai - 13.

..Respondent(s)

Prayer : Petition filed under Article 226 of Constitution of India praying for issuance of Writ of Habeas Corpus, calling for the records relating to the detention order passed by the second respondent dated 15.09.2025 in Memo No.696/BBCDEFGISSSV/2025 against the Petitioner / Detenu Babu @ Babulal



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S/o. Munnabai, Hindu, aged about 35 years is now confined at Central Prison, Puzhal, Chennai - 66 and set aside the same and direct the respondents to produce him before this Court and set him at Liberty.

For Petitioner(s):	Mr.V.Perarasu
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 – Babu @ Babulal, S/o.Munnabai, aged 35 years, has filed this petition challenging the detention order dated 15.09.2025, branding him as ‘Goonda’ under Section 2(f) of the Tamil Nadu Preventive Detention Act, 1982 (Act 14/1982).

2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondents.

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 is in remand and had not filed any bail application in the ground case. However, he had stated that the sponsoring authority had stated that his relatives are taking steps to take him out on bail.

5. We find from the statement of a relative which is furnished at page 38 of the booklet that the said statement is neither dated nor signed. We have in HCP No. 1684 of 2025, held that, the unsigned statement cannot be relied upon to infer that the detenu is likely to file bail application.

6. Therefore, the reliance placed on the said statement by the detaining authority to arrive at the satisfaction that there is a real possibility of the detenu coming out on bail is misconceived. The inference that the detenu is likely to be released on bail and consequently, would indulge in further criminal activities also is without any basis. Hence, the detention order is liable to be quashed.



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7. In light of the above discussion, this Habeas Corpus Petition is allowed and the Detention Order passed by the second respondent in Detention Order No.696/BBCDEFGISSSV/2025, dated 15.09.2025 is set aside.

8. The detenu, viz., Babu @ Babulal, S/o.Munnabai, aged 35 years, now confined in Central Prison, Puzhal, Chennai, 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.)
27-04-2026

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

Note: Issue Order Today.

Tsg

To

1. The Additional Chief Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat, Chennai - 600 009.
2. The Commissioner of Police,
Greater Chennai.



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3. The Superintendent of Prison,
Central Prison, Puzhal,
Chennai - 66.
4. The Inspector of Police,
Railway Police Station,
Royapuram, Chennai – 13.
5. The Public Prosecutor,
High Court, Madras.



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

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