



WEB COPY

H.C.P.No.594 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.06.2026

CORAM :

THE HONOURABLE DR.JUSTICE ANITA SUMANTH
and
THE HONOURABLE MR.JUSTICE SUNDER MOHAN

H.C.P.No.594 of 2026

Vasanthi.S.
C/o. Chinnasamy,
Door No.22,
Nanjammal Street,
Coimbatore.

.. Petitioner

VS

1.State of Tamil Nadu represented
By Secretary to Government,
Home, Prohibition and Excise Department
Fort St.George,
Chennai – 600009.

2.The Commissioner of Police,
Coimbatore District.

3.The Superintendent of Prison,
Central Prison Coimbatore,
Coimbatore District.

4.State Rep by Inspector of Police,
Saibaba Colony Police Station,
Coimbatore City.

.. Respondents

Prayer : Petition filed under Article 226 of Constitution of India for
issuance of writ of Habeas Corpus calling for the records of the 2nd



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respondent pertaining to order made in C.No.97/G/IS/2025, Dated 13.06.2025 in detaining the detenu under the Tamilnadu Act 14/1982 as a brand of Goonda and quash the same and direct the respondents to produce the detenu, C.Divakar (Detenu), Son of Chinnasamy, aged 28 years who is detained at the Central Prison Coimbatore, before this Hon'ble Court and set him at liberty.

For Petitioner : Ms.S.Valarmathi

For Respondents : Mr.C.R.Malarvannan
Counsel for Government of Tamil Nadu
(Criminal Side)

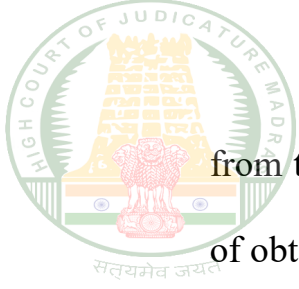
ORDER

(Made by Dr. ANITA SUMANTH, J.)

The impugned detention order was passed on 13.06.2025 in respect of C.Divakar holding him to be a Goonda under Section 2(f) of the Tamil Nadu Preventive Detention Act, 1982 (Act 14/1982) and consigning him to Central Prison, Coimbatore. His mother has filed this petition challenging the aforesaid order.

2. We have heard Ms.Valarmathi for petitioner and Mr.C.R.Malarvannan, learned counsel for the Government of Tamil Nadu (Criminal Side) for the respondents.

3. What appeals to us is the fact that the subjective satisfaction of the detaining authority, who states that bail may well be granted in the case of the detenu, does not appear to be correct. The subjective satisfaction is based, per the impugned order, upon a statement recorded



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from the petitioner/mother of the detenu, that the family is in the process of obtaining bail for the detenu.

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4. However, a careful perusal of the booklet containing the relied-upon documents does not anywhere contain a statement recorded from the petitioner. In such circumstances, it appears that the detaining authority has referred to a non-existent statement and this vitiates the impugned order.

5. In light of the aforesaid discussion, this Habeas Corpus Petition is allowed and the Detention Order passed by the second respondent in C.No.97/G/IS/2025, dated 13.06.2025 is set aside.

6. The detenu, viz., C.Divakar, S/o. Chinnasamy, aged 28 years, 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.

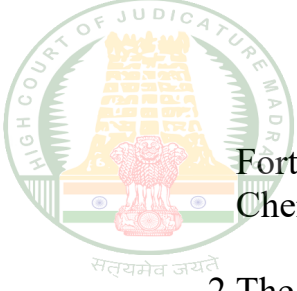
[A.S.M, J.] [S.M, J.]
01.06.2026

Index: Yes/No
Neutral Citation: Yes
ssm

Note to Registry : Issue Today

To
1. The Secretary to Government,
Government of Tamil Nadu,
Home, Prohibition and Excise Department

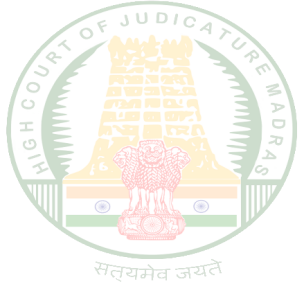
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Fort St.George,
Chennai – 600009.

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- 2.The Commissioner of Police,
Coimbatore District.
- 3.The Superintendent of Prison,
Central Prison Coimbatore,
Coimbatore District.
- 4.The Inspector of Police,
Saibaba Colony Police Station,
Coimbatore City.
- 5.The Joint Secretary,
Law and Order Department,
Secretariat, Chennai
- 6.The Public Prosecutor,
High Court, Madras.



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and
SUNDER MOHAN,J.

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