



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-05-2026

CORAM

THE HON'BLE MR JUSTICE G. R. SWAMINATHAN

AND

THE HON'BLE MR.JUSTICE V. LAKSHMINARAYANAN

HCP No. 959 of 2026

Vijaya
W/o.Chandrasegaran,
No.17, Mariammman Koil Street,
Ulavaikkal, Villianur,
Puducherry - 605502.

..Petitioner

Vs

1. The Home Secretary
Government of Puducherry,
Chief Secretariat, Puducherry.Pudhucherry
2. The Secretary to Lieutenant Governor
Loknivas, Puducherry.
3. The District Magistrate-cim-Authorised Officer
Office of the District Magistrate,
1st Floor, Vazhadvavoor Road,
Kavundanpalayam, Puducherry - 605 009.
4. The Superintendent of Police
The Superintendent of Police (West),
Puducherry
5. Sub-Inspector of Police
Villianur Police Station,
Villianur, Puducherry - 605110.

..Respondents

To issue a writ order or direction in the nature of WRIT OF HABEAS
CORPUS call for the records of the detention order made in
No.06/DM/RO/D2/PPASAA/2026 dated 06.04.2026 passed by the 3rd



respondent under the Puducherry Prevention of Anti-Social Activities Act, 2008 (Act 10 of 2010) and consequential G.O.Ms.No.33, Home Department, Puducherry dated 15.04.2026 and set aside the same and consequently direct the respondents to produce the petitioner's husband Chandrasegaran @ Ulavaikkal Chandrasegaran, S/o. Perumal, aged about 60 years the detinue, now confined in Central Prison, Kalapet, Puducherry.

For Petitioner : Mr.T.Sundaravadanam

For Respondents : Mr.M.V.Ramachandra Moorthy,
Public Prosecutor (puducherry)

Order

(Order of the Court was made by V.Lakshminarayanan J.)

Heard Mr. T. Sundaravadanam for the Petitioner and Mr. M. V. Ramachandra Moorthy, learned Public Prosecutor (Puducherry) for the Respondent.

2. The Petitioner challenges the order of detention passed by the third respondent invoking the Puducherry Prevention of Anti-Social Activities Act, 2008.

3. The Petitioner's husband is one Chandrasegaran. He had been detained as a "dangerous person" within the meaning of Section 3(1) of the Puducherry Prevention of Anti-Social Activities Act, 2008. Detention order was passed on 06.04.2026. It was approved by the Government of Puducherry on 15.04.2026.



4. The Petitioner made a representation against the detention on 24.06.2026, which had been received by the police on the very same date. The Petitioner had been granted Anticipatory Bail on 06.04.2026 by the Principal District & Sessions Judge, Puducherry, yet in the impugned detention order, it is shown as if the petitioner is absconding.

5. We are inclined to quash the order of detention on the primary ground of non-application of mind. The Detaining Authority had noted as if the petitioner is an absconding accused in Crime No. 110 of 2026. He had not taken note of the fact that on the very same day, the Principal Sessions Judge, Puducherry, had granted the detenu Anticipatory Bail in CrI. MP. No. 533 of 2026. More importantly, the booklet of detention had been prepared on 20.02.2026 and it refers to Crime No. 110 of 2026. Crime No. 110 of 2026 itself came to be registered only two days thereafter, that is, on 22.02.2026. It is beyond comprehension as to how a booklet, which was prepared two days earlier, would refer to an FIR which itself came to be filed and registered thereafter.

6. A reading of the detention order shows that the allegation as against the petitioner seems to be that he regularly uses offensive and filthy language and threatens the complainants. He is also said to have made defamatory statements



against the Indian National Congress and certain Members of the Parliament and setting forth false and untrue information on social media platforms. These are matters which do not affect public order but are at best matters relating to law and order.

7. The purpose of detention laws is to ensure that acts which threaten public order and affect normal life in a society are abated by detaining the person categorising him as *Goondas* or dangerous person thereof. “Cry wolf” will not bring the wolf which is absent amidst the society. Most of the cases, in which the petitioner is an accused alleged to have been indulged in acts of abuse, have not even been taken by the file of the Court.

8. The learned Public Prosecutor, Puducherry gave us a list of 26 cases pending against him. Of the list, we find that five cases have already been stopped. In one case, he has already been discharged and in one, compounded. In as many as 11 cases, the charge sheet has not been taken on file. By no stretch of imagination can words of abuse, even assuming the usage thereof were true, can be said to affect a community at large or disturb the even tempo of life. Preventive Detentions laws are not meant for routine crimes that merely disturb “law and order” when the same can be handled under ordinary penal laws. As pointed out in *Sushanta Kumar Banik vs State of Tripura, 2022 SCC OnLine SC 1333*, stale incidents without live link invalidate a subjective



satisfaction. The law calls upon the Detaining Authority to independently assess the relevant materials. As pointed out earlier, the Detaining Authority in this case had not noticed the grant of bail by the Principal District Judge, Puducherry, and also the fact that the sponsoring authority had referred to an FIR which had registered after two days after the sponsor report.

9. On these grounds, we are constrained to quash the proceedings. Accordingly, this Petition stands allowed. No costs.

(G.R.S.,J.) (V.L.N.,J.)
29-05-2026

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



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To

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**G.R.SWAMINATHAN J.
AND
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