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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-11-2026

CORAM

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

AND

THE HON'BLE MR. JUSTICE B.KARTHIKEYAN

HCP No.1657 of 2026

Case QR

CNR:{HCMA011897102026}

P.Andavar ..Petitioner(s)

Vs

1. The Additional Chief Secretary to the Government,
   Home Prohibition and Excise Department,
   Secretariat, Fort St.George,
   Chennai – 600009.

2. The Commissioner of Police,
   Coimbatore City.

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

4. The Inspector of Police,
   D1 Ramanathapuram Police Station,
   Coimbatore. ..Respondent(s)

PRAYER: Habeas Corpus Petition is filed under Article 226 of the Constitution of India to issue an order or a direction more particularly like Writ of Habeas Corpus calling for the entire records relating to the detention of the petitioner's brother namely Ranjithkumar aged 25, son of Pandian vide detention order dated 01.06.2026 on the file of the 2nd respondent made in C.NO.55/G/IS/2026 and quash the same as illegal and consequently direct the respondents to produce the body and person of the detenu, namely Ranjithkumar, before this

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Court and set him at liberty from detention, who is now detained at the Central Prison, Coimbatore.

For Petitioner(s): Mr.A K Manikkam

For Respondent(s): Mr.M.Mohamed Riyaz,
Additional Public Prosecutor

ORDER

(Made by A.D.JAGADISH CHANDIRA J.)

The petitioner, who is the brother of the detenu Ranjithkumar, male, aged 25 years, son of Pandian, has come forward with this petition challenging the detention order passed by the second respondent in C.No.55/G/IS/2026, dated 01.06.2026 branding him as a "Goonda" under Section 2(f) of the Tamil Nadu Prevention of Dangerous Activities of Bootleggers, Drug Offenders, Forest Offenders, Goondas, Immoral Traffic Offenders, Sand Offenders, Slum Grabbers and Video Pirates Act, 1982 [Tamil Nadu Act 14 of 1982].

2. Learned counsel appearing for the petitioner submitted that the detenu was arrested in a solitary case registered in Crime No.127 of 2026 on the file of the fourth respondent under Section 194(3)(iv) of BNSS. He further submitted that it is a case of suspicious death, where the incident is said to have taken place inside a house and the accused was initially not known. While being so, without there being any material on record to show that by committing the

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alleged offence, the detenu had disturbed the public order and public peace, the detaining authority passed the detention order by observing that the detenu is involved in a murder crime activities in the ground case and is acting in a manner prejudicial to the maintenance of public peace. Such a finding is not supported by any material and therefore, the subjective satisfaction recorded by the authority without any supporting material is a mere *ipse dixit*. Hence, the impugned detention order is liable to be set aside.

3. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondents and perused the materials available on record.

4. A perusal of the grounds of detention reveals that the detenu was arrested in connection with a solitary case registered in Crime No. 127 of 2026 under Section 194(3)(iv) of the BNSS, which was subsequently altered into a case of murder for gain. Admittedly, the alleged occurrence took place inside a dwelling house and the case was initially registered against an unknown accused. Though the detaining authority observed that the detenu is acting in a manner prejudicial to the maintenance of public peace, no supporting material has been placed on record to substantiate the same. In the absence of any material to show that the alleged act disturbed public order, the subjective satisfaction arrived at by the detaining authority is a mere *ipse dixit* and stands

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Order QR

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vitiated. This clearly shows non-application of mind on the part of the detaining authority in passing the order of detention. The impugned detention order is, therefore, liable to be quashed.

5. In the result, this Habeas Corpus Petition is allowed and the order of detention in C.NO.55/G/IS/2026, dated 01.06.2026, passed by the second respondent, is set aside. The detenu, viz., Ranjithkumar, son of Pandian, aged about 25 years, is directed to be released forthwith unless his detention is required in connection with any other case.

(A.D.J.C.,J.) (B.K.,J.)
03-11-2026

Neutral Citation: Yes/No

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To

1. The Additional Chief Secretary to the Government,
   Home Prohibition and Excise Department,
   Secretariat, Fort St.George,
   Chennai – 600009.

2. The Commissioner of Police,
   Coimbatore City.

3. The Superintendent of Prison,
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   Coimbatore.

4. The Inspector of Police,
   D1 Ramanathapuram Police Station,
   Coimbatore.

5. The Public Prosecutor,
   High Court of Madras.

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AND
B.KARTHIKEYAN J.

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