



WEB COPY

H.C.P.No.1780 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.03.2026

CORAM :

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

H.C.P.No. 1780 of 2025

RANI, Female aged 48 years,
W/o. Dhanasekar,
No.22/A, Narasimman Street,
Suvalpet, Arakkonam & Taluk,
Ranipet District.

.. Petitioner

VS

- 1.The Secretary to the Government,
Home Prohibition and Excise Dept.,
Secretariat, Chennai 600 009.
- 2.District Collector and District Magistrate of
Ranipet District, Ranipet-1.
- 3.The Superintendent of Police,
Ranipet District, Ranipet.
- 4.The Superintendent of Prison,
Central Prison, Vellore.
- 5.The Inspector of Police,
Arakkonam Town Police Station,
Ranipet District.

...Respondents

Prayer: Petition filed under Article 226 of the Constitution of India
praying to issue to writ of habeas corpus to call for the records in
1/6



H.C.P.No.1780 of 2025

Connection with the order of Detention passed by the second respondent 12.08.2025 in B3/D.O.No.68/2025 against the petitioner Son Jagan, Male, aged 24 years S/o. Dhanasekar who is confined at Central Prison, Vellore and set aside the same and direct the respondents to produce the detenu before the Hon'ble Court and set him at Liberty.

For Petitioner : Mr.P.Raman

For Respondents : Mr.R.Muniyapparaj
Additional Public Prosecutor
assisted by
Mr.M.Sylvester John

ORDER

(Made by Dr.ANITA SUMANTH, J.)

One Jagan (detenu) son of Dhanasekar has been detained under Section 2(f) of the Tamil Nadu Preventive Detention Act, 1982 (Act 14/1982) as a Goonda paving the way for his wife to move the present petition.

2. The primary ground agitated by the learned counsel for the petitioner is that there is no bail application moved either by the detenu or by anyone on his behalf, and the statement that the detenu will be enlarged on bail is mere ipse dixit, to the knowledge of the detaining authority. There is also an argument advanced on the dissimilarity between the detenu's case and the case relied upon by the authority in the impugned order, where bail has been granted.



H.C.P.No.1780 of 2025

3.Per contra, Mr.R.Muniyapparaj, learned Additional Public

Prosecutor, who appears for the respondents would defend the impugned order pointing out that the detention has been properly imposed.

4. Having heard both learned counsel, we are of the view that no ground has been made out by the respondents to sustain the impugned order. As rightly pointed out on behalf of the petitioner, there is not even an averment, let alone any material brought out on record by the authority in support of the possibility that the detenu may be enlarged on bail. The authority himself states that he is aware that the detenu has not moved any bail application.

5.Having stated so, the authority goes on to rely on bail granted in CrI.MP.No.667 of 2025 on 08.05.2025. However, on a comparison of the charges in that case and in the detenu's case, we do not find the same similar.

6. The argument of the respondents appears to be that when bail has been granted on the graver offences involved in CrI.MP.No.667 of 2025, there is a possibility that the detenu who has been charged on lesser offences, would certainly be granted bail. However, this argument cannot be countenanced in a situation where no material has been brought on record by the authority to even indicate that bail was being moved on behalf of the detenu.



H.C.P.No.1780 of 2025

7. In light of the above discussion, this Habeas Corpus Petition is

allowed and the Detention Order passed by the second respondent in

B3/D.O.No.68/2025, dated 12.08.2025 is set aside.

8.The detenu, viz., Jagan, S/o. Dhanasekar, aged 24 years, now confined in Central Prison, Vellore, 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.]
17.03.2026

Index:Yes/No
Speaking order
Neutral Citation:Yes
vs

Note to Registry : Issue Today.

To

- 1.The Secretary to the Government,
Home Prohibition and Excise Dept., Secretariat, Chennai 600 009.
- 2.District Collector and District Magistrate of
Ranipet District, Ranipet-1.
- 3.The Superintendent of Police,
Ranipet District, Ranipet.
- 4.The Superintendent of Prison, Central Prison, Vellore.
- 5.The Inspector of Police,
Arakkonam Town Police Station, Ranipet District.
- 6.The Joint Secretary,
Law and Order Department,

4/6



H.C.P.No.1780 of 2025

Secretariat, Chennai

7.The Public Prosecutor,
High Court, Madras.



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DR. ANITA SUMANTH,J.
and
SUNDER MOHAN,J.

vs

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