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H.C.P.No.1773 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.03.2026

CORAM :

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

H.C.P.No.1773 of 2025

Preetha, Female, aged 22 years,
W/o. Seenra @ Seenivasan,
No.66, B-Block,
Tamil Nadu Board,
Kamarajapuram,
Ambattur, Chennai – 53.

.. Petitioner

VS

- 1.The Additional Chief Secretary to Government,
Home, Prohibition and Excise Dept.,
Secretariat, Chennai – 600 009.
- 2.The Commissioner of Police,
Avadi City.
- 3.The Superintendent of Prison,
Central Prison, Puzhal,
Chennai – 66.
- 4.The Inspector of Police, Law & Order,
T-1 Ambattur Police Station,
Chennai.

.. Respondents

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



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connection with the order of detention passed by the second respondent dated 06.08.2025 in Memo No.120/TNPD/APC/2025 against the petitioner's husband namely Seena @ Seenivasan, Male, aged 25 years, S/o. Rathinam, who is confined at Central Prison, Puzhal, and set aside the same and direct the respondents to produce the detenu before this Court and set him at liberty.

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

ORDER
(Made by *SUNDER MOHAN, J.*)

The wife of the detenu has challenged the detention order dated 06.08.2025 passed against her husband, who has been branded as Goonda under Section 2(f) of the Tamil Nadu Preventive Detention Act, 1982 (Act 14 of 1982).

2. The detaining authority has referred to seven adverse cases and the ground case on which the detention order has been passed was registered for the offences under section 296(b) and 103(1) of the BNS, 2023.

3. The only point raised by the learned counsel for the petitioner is



that the detenu has not filed any bail application before the trial court or the High Court; that the detaining authority however has relied upon the affidavit of the sponsoring authority to conclude that the detenu is making attempts to file a bail application; that the affidavit of the sponsoring authority is based on the statement said to have been given by the petitioner to the sponsoring authority, which is undated and, that therefore, the subjective satisfaction of the detaining authority as regards his conclusion that the detenu is making attempts to file a bail application is vitiated.

4. Heard learned Additional Public Prosecutor.

5. It is seen from the detention order that the detaining authority has stated in the grounds of detention that the petitioner on behalf of detenu is taking steps to file a bail application. The said statement is based on the affidavit of the sponsoring authority which in turn is based on the statement said to have been given by the wife of the petitioner. The said statement is undated.

6. This Court has repeatedly held that an undated statement cannot be the basis to arrive at a subjective satisfaction that the detenu is likely to file a bail application. Therefore, we are, inclined to set aside the impugned order on this ground alone.

7. In fact, this Court had quashed the detention order to a detenu



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who is a co-accused in this ground case in HCP No. 1761 of 2025 dated 02.03.2026, on the very same point.

8. In light of the above, this Habeas Corpus Petition is allowed and the Detention Order passed by the second respondent dated 06.08.2025 in No.120/TNPD/APC/2025 is hereby set aside.

9. The detenu, viz., Seena @ Seenivasan, male, aged 25 years, S/o. Rathinam, now confined in Central Prison, Puzhal, Chennai, 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.]
10.03.2026

Index:Yes/No

Neutral Citation:Yes/No

ssm

Note to Registry : Issue Today

To

- 1.The Additional Chief Secretary to Government,
Home, Prohibition and Excise Dept.,
Secretariat, Chennai – 600 009.
- 2.The Commissioner of Police,
Avadi City.
- 3.The Superintendent of Prison,
Central Prison, Puzhal,
Chennai – 66.



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4.The Inspector of Police, Law & Order,
T-1 Ambattur Police Station,
Chennai.

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5.The Joint Secretary to Government
Public (Law and Order),
Fort St.George,
Chennai – 9.

6.The Public Prosecutor,
High Court, Madras.



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

ssm

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