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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-11-2026

Case QR

CORAM

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

AND

THE HON'BLE MR. JUSTICE B.KARTHIKEYAN

H.C.P.No.1701 of 2026

CNR: {HCMA012096582026}

Arunpriya ..Petitioner(s)

Vs

1. The Secretary to the Government,
   Home Prohibition and Excise Department,
   Secretariat, Chennai – 600 009.

2. The District Collector and District Magistrate,
   Mayiladuthurai District, Mayiladuthurai.

3. The Superintendent of Police,
   Mayiladuthurai District, Mayiladuthurai.

4. The Superintendent of Prison,
   Central Prison, Cuddalore.

5. The Inspector of Police,
   Mayiladuthurai Police Station,
   Mayiladuthurai District. ..Respondent(s)

PRAYER: Habeas Corpus Petition is filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus or any other Writ or Order in the nature of Writ call for the records in connection with the order of Detention passed by the second respondent 10-7-2026 in C.O.C. No. 20/2026 against the petitioner's husband Veeramani, Male aged 29 years S/o. Vimanuvel who is confined at Central Prison, Cuddalore and set aside the same and direct the respondents to produce the detenu before the Court and set him at liberty.

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For Petitioner(s): Mr. D.Balaji

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

ORDER

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

The petitioner, who is the wife of the detenu Veeramani, male, aged 29 years, son of Vimanuvel, has come forward with this petition challenging the detention order passed by the second respondent in C.O.C. No. 20/2026, dated 10.07.2026 branding the detenu as a "Drug Offender" under Section 2(e) of the Tamil Nadu Prevention of Dangerous Activities of Bootleggers, Cyber Law Offenders, Drug Offenders, Forest Offenders, Goondas, Immoral Traffic Offenders, Sand Offenders, Sexual Offenders, Slum Grabbers and Video Pirates Act, 1982 [Tamil Nadu Act 14 of 1982].

2. Learned counsel for the petitioner submitted that the detenu had not moved any bail application in the ground case so far. He further submitted that the detaining authority, in the absence of any materials on record, had stated that information from reliable sources revealed that the detenu was intending to file bail application before the appropriate Court through his relatives. However, such a statement was not supported by any material and thereby, 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.

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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. On a perusal of the materials on record, it is evident that there is no material to substantiate the observation that the relatives were taking steps to file bail application for the detenu. Hence, when no such bail application has been filed by the detenu, there is no likelihood of the detenu being released on bail. Therefore, the subjective satisfaction arrived at by the detaining authority is a mere *ipse dixit.* Further, the present case is squarely covered by the judgment of the Hon'ble Supreme Court in *Alagu vs The State of Tamil Nadu,* reported in *2026 SCC OnLine SC 976.* Therefore, we are inclined to interfere with the impugned order.

5. In the result, this Habeas Corpus Petition is allowed and the order of detention in C.O.C. No. 20/2026 dated 10.07.2026, passed by the second respondent, is set aside. The detenu, viz., Veeramani, son of Vimanuvel, aged about 29 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.)**
17-11-2026

Neutral Citation: Yes/No
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To

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   Home Prohibition and Excise Department,
   Secretariat, Chennai – 600 009.

2. The District Collector and District Magistrate,
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3. The Superintendent of Police,
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4. The Superintendent of Prison,
   Central Prison, Cuddalore.

5. The Inspector of Police,
   Mayiladuthurai Police Station,
   Mayiladuthurai District.

6. The Public Prosecutor,
   High Court of Madras.

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A.D.JAGADISH CHANDIRA, J.
AND
B.KARTHIKEYAN, J.

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