



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-04-2026

CORAM

THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

HCP No. 1836 of 2025

Thennagam
D/o.Ramachandran,
259, Middle Street,
Vakkur Village,
Vikravandi Taluk,
Villupuram District.

..Petitioner(s)

Vs

1. The State Of Tamilnadu,
Rep By Its Secretary To Government,
Prohibition and Excise Department (Home),
Fort St.George,
Chennai-600 009.
2. The District Collector And District Magistrate,
Villupuram District,
Villupuram.
3. The Superintendent Of Police,
Villupuram District,
Villupuram.
4. The Superintendent Of Prison,
Central Prison,
Cuddalore.
5. The State Rep by,
The Inspector Of Police,
Vikaravandi Police Station,



Villupuram District.

..Respondent(s)

Prayer: Habeas Corpus Petition filed under Article 226 of Constitution of India for issuance of a Writ or Order or direction or Writ in the nature of the Writ of Habeas Corpus Petition or any other appropriate writ order or direction to produce the body or in person of the detenue namely (Thiru.Thennarasan aged about 36 years son of Ramachandiran) before this Hon'ble Court and set him at liberty forthwith, by calling for the records to the detention order RC.No.C2/39/2025 dated 11.08.2025 passed by the 2nd respondent, quash the same.

For Petitioner(s): Mr.M.Guruprasad

For Respondent(s): Mr.R. Muniyapparaj
Additional Public Prosecutor
Assisted By
Mr. M. Sylvester John

ORDER

(Order of the Court was made by Dr.Anita Sumanth J.)

We have heard Mr.M.Guruprasad, learned counsel for the petitioner and Mr.R.Muniyapparaj, learned Additional Public Prosecutor assisted by Mr.M.Sylvester John, learned counsel for the respondents.

2. The sister of one Thennarasan, S/o.Ramachandiran, branded as Goonda under Section 2(f) of the Tamil Nadu Act 14 of 1982 (in short 'Act') has challenged the order of detention dated 11.08.2025.



WEB COPY

3. The arguments of Mr.M.Guruprasad, learned counsel for the petitioner are that the ground case is the solitary instance as against the detenu and that there are no previous offences. There are other grounds that are also pursued before us, the main one being that there is no bail application filed by the detenu and none contemplated. Hence the subjective satisfaction of the detaining authority that the detenu may be enlarged on bail is wholly misplaced.

4. Learned Additional Public Prosecutor supports the order of detention pointing out that the offences charged as against the detenu are serious in nature, on two counts of murder and one of attempt to murder. He would also submit that the area is under some tension and hence the continued detention of the detenu would be in public interest.

5. Having heard both learned counsel, we are of the considered view that as rightly pointed out by the learned counsel for the petitioner, there is no justifiable subjective satisfaction that has been made out by the detaining authority. Admittedly, there has been no bail application that has been filed by the detenu or on his behalf. The statement of the detaining authority to the effect that the relatives have taken steps to obtain bail is also only ipse dixit, as admittedly, not even a statement has been recorded from any relative to such effect.



6. In light of the aforesaid discussion and as the grounds of detention are not supported by any credible information or any evidence, this Habeas Corpus Petition is allowed and the Detention Order passed by the second respondent in Rc.No.C2/39/2025 dated 11.08.2025 is set aside.

7. The detenu, viz., Thennarasan, S/o.Ramachandiran, male aged 36 years, who is now confined in Central Prison, Cuddalore, 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.)

16-04-2026

sl

Index: Yes/No

Speaking order

Neutral Citation: Yes

Note to Registry: Issue Today.

To

1. The State Of Tamilnadu,
Rep By Its Secretary To Government,
Prohibition and Excise Department (Home),
Fort St.George,
Chennai-600 009.
2. The District Collector And District Magistrate,
Villupuram District,
Villupuram.
3. The Superintendent Of Police,
Villupuram District,
Villupuram.



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

5. The State Rep by,
The Inspector Of Police,
Vikaravandi Police Station,
Villupuram District.

6. The Joint Secretary,
Law and Order Department,
Secretariat, Chennai.

7. The Public Prosecutor,
High Court, Madras.



WEB COPY

HCP No. 1836 of 2



DR.ANITA SUMANTH J.

AND

SUNDER MOHAN J.

sl

HCP No. 1836 of 2025

16-04-2026