



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-04-2026

CORAM

THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

HCP No. 2015 of 2025

Valli
W/o.Parthasarathy,
No.23/1, Saiva Muthaiya 6th Street,
Royapettah,
Chennai - 600 014.

...Petitioner/Mother of
the detenue

Vs

1. The State of Tamil Nadu rep by its,
The Additional Chief Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat,
Chennai - 600 009.
2. The Commissioner of Police,
Greater Chennai, Vepery,
Chennai - 600 007.
3. The Inspector of Police,
Law and Order,
D-3, Ice House Police Station,
Chennai.
4. The Superintendent,
Central Prison, Puzhal,
Chennai.

...Respondents

Prayer: Petition filed under Article 226 of Constitution of India praying for issuance of Writ of Habeas Corpus, calling for the records relating to the detention order in No.548/BBCDEFGISSSV/2025 on the file of the 2nd



respondent dated 08.08.2025 quash the same and direct the respondents to produce the corpus of the detenu Prasanth @ Bus (M/28), S/o.Parthasarathy is confined in Central Prison, Puzhal, Chennai before this Court and set him at liberty.

For Petitioner: Mr. D.Vivekanandan

For Respondents: Mr.R.Muniyapparaj
Additioinal Public Prosecutor,

Assisted by
Mr.M.Sylvester John

ORDER

(Order of the Court was made by Sunder Mohan J.)

The mother of the detenu – Prasanth @ Bus, S/o. Parthasarathy, aged 28 years, has filed this petition challenging the detention order dated 08.08.2025, branding him as ‘Goonda’ under Section 2(f) of the Tamil Nadu Preventive Detention Act, 1982 (Act 14/1982).

2.The learned counsel for the petitioner would submit that the impugned order of detention is liable to be quashed on the sole ground that the detaining authority’s satisfaction as regards the real possibility of the detenu coming out on bail, suffers from non-application of mind, as the facts in the order relied upon by him are not similar to the instant case.



3. The learned Additional Public Prosecutor would fairly concede that the facts are not similar.

4. It is seen from paragraph No.4 of the grounds of detention that the detenu has not moved any bail application. However, the detaining authority had relied upon an order passed by the learned Principal Sessions Judge, Chennai, in CrI.MP.No.26094 of 2024 to observe that the detenu is likely to be released on bail. It is seen from that order that the accused therein had only one previous case, whereas, there are two adverse cases pending against the detenu. The facts are not similar. Therefore, we are of the view that the reliance placed upon the said order by the detaining authority, to conclude that there is a real possibility of the detenu coming out on bail and that he would indulge in similar activities, suffers from non-application of mind. Hence, the detention order is liable to be quashed.

5. In light of the aforesaid discussion, this Habeas Corpus Petition is allowed and the Detention Order passed by the second respondent in 548/BBCDEFGISSV/2025 dated 08.08.2025 is quashed.

6. The detenu, viz., Prasanth @ Bus, S/o. Parthasarathy, aged 28 years, who is 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.

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(A.S.M.,J.) (S.M.,J.)

27-04-2026

(2/2)

Note: Issue today

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

dk

1. The Additional Chief Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat,
Chennai-600 009.
2. The Commissioner Of Police,
Greater Chennai, Vepery,
Chennai-600 007.
3. The Inspector Of Police,
Law and Order,
D-3, Ice House Police Station,
Chennai.
4. The Superintendent Of Prison,
Central Prison, Puzhal,
Chennai.
5. The Public Prosecutor,
High Court of Madras.



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HCP No. 2015 of 2



**DR.ANITA SUMANTH, J.
AND
SUNDER MOHAN, J.**

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HCP No. 2015 of 2025

**27-04-2026
(2/2)**