



WEB COPY



H.C.P.No.1867 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.03.2026

CORAM :

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

H.C.P.No.1867 of 2025

Pangajam, (F/49)
W/o Sengottaiyan,
106 B, Indira Gandhi Nagar
2nd Street, Vyasarpadi
Chennai – 600039.

.. Petitioner

VS

1.The State of Tamil Nadu,
Rep by its Principal Secretary,
Home, Prohibition and Excise Department,
Secretariat Complex,
Chennai – 600009.

2.The Commissioner of Police,
Office of Commissioner of Police,
Greater Chennai – 600007.

3.The Superintendent of Prisons,
Central Prison Puzhal,
Chennai – 600066.

4.The Inspector of Police,
P-6, Kodungaiur Police Station,
Chennai District.

.. Respondents



H.C.P.No.1867 of 2025

Prayer : Habeas Corpus Petition filed under Article 226 of Constitution of India praying for issuance of Writ of Habeas Corpus or any other writ or a direction, calling for the records relating to the detention order in 590/BBCDEFGISSSV/2025 dated 22.08.2025 passed by the 2nd Respondent under the Tamil Nadu Act 14 of 1982 and quash the same and direct the Respondents to produce the Tamilmani @ Barotta Mani, aged 25 years, S/o Sengottaiyan, who is presently confined in the Central Prison Puzhal, Chennai before this Hon'ble Court and set him at liberty.

For Petitioner : Mr.Selvamani.K

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

ORDER

(Made by SUNDER MOHAN, J.)

The mother of the detenu - Tamilmani @ Barotta Mani, who has been branded as Drug Offender under Section 2(e) passed under the provision of Tamil Nadu Preventive Detention Act, 1982, has challenged his detention order dated 22.8.2025.

2. The learned counsel for the petitioner submitted that the detenu has not filed any bail application; that the detaining authority has relied on an order passed in CrI.MP No.1414 of 2021 dated 4.6.2021 to conclude that the detenu is likely to be released on bail as and when he files a bail application; that the facts in that case are not similar to the facts in the ground case; and hence the impugned order is liable to be set aside for non-application of mind.



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3. Heard the learned Additional Public Prosecutor.

4. We find on a perusal of the order passed in CrI.MP No.1414 of 2021 which has been relied upon by the detaining authority, that the facts in that case are not similar to the facts in the instant case. In the present case, the detenu is involved in another case whereas the accused in CrI.M.P.No.1414 of 2021 had no previous cases. Therefore, the subjective satisfaction recorded by the detaining authority that the detenu is likely to be released on bail suffers from non-application of mind.

5. In light of the aforesaid discussion, this Habeas Corpus Petition is allowed and the Detention Order passed by the second respondent in No.590/BBCDEFGISSSV/2025, dated 22.08.2025 is hereby set aside.

6. The detenu, viz., Tamilmani @ Barotta Mani, S/o. Sengottaiyan, male, aged 25 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.

[A.S.M, J.] [S.M, J.]
18.03.2026

Index:Yes/No
Neutral Citation:Yes/No
ssm

Note: Issue Today



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To

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- 1.The Principal Secretary,
Home, Prohibition and Excise Department,
Secretariat Complex,
Chennai – 600009.
- 2.The Commissioner of Police,
Office of Commissioner of Police,
Greater Chennai – 600007.
- 3.The Superintendent of Prisons,
Central Prison Puzhal,
Chennai – 600066.
- 4.The Inspector of Police,
P-6, Kodungaiur Police Station,
Chennai District.
- 5.The Joint Secretary,
Law and Order Department,
Secretariat, Chennai
- 6.The Public Prosecutor,
High Court, Madras.



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

ssm

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