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IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 24-03-2026**

CORAM

**THE HON'BLE DR.JUSTICE ANITA SUMANTH**

**AND**

**THE HON'BLE MR.JUSTICE SUNDER MOHAN**

**HCP Nos. 1895, 1875, 1947, 1943 and 1935 of 2025**

Muthuraja  
W/o.Ramachandran,  
No.3/23, Mariyamman Koil Street,  
Kosapoor,  
Madhavaram Post,  
Chennai-07.

..Petitioner in  
HCP.No.1895 of 2025

Dhanabakkiyam  
W/o.Arumugam,  
No.3/23, Mariyamman Kovil Street,  
Kosapoor,  
Madhavaram Post,  
Chennai-07.

..Petitioner in  
HCP.No.1875 of 2025

Venkatesan  
S/o.Krishnan,  
No.7, Jakir Hussain,  
2nd Lane, Manali Post,  
Manali, Chennai.

..Petitioner in  
HCP.No.1947 of 2025

Seethalakshmi,  
W/o.Rajalingam,  
No.7, Jakir Hussain,  
2nd Lane, Manali Post,  
Manali,  
Chennai.

..Petitioner in HCP No.  
1943 of 2025

Mageshwari  
W/o.Venkatesan,

..Petitioner HCP No.1935



No.7, Jakir Hussain,  
2nd Lane, Manali Post,  
Manali, Chennai.

of 2025

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Vs

1. The State of Tamilnadu  
Rep by its Secretary to Government, (Home),  
Prohibition and Excise Department,  
Secretariat,  
Fort St.George,  
Chennai-600 009
2. The Commissioner of Police  
O/o.Commissioner of Police, (Goondas Section),  
Vepperi,  
Chennai-07.
3. The Superintendent,  
Central Prison,  
Puzhal, Chennai-66.
4. The State rep by its  
The Inspector of Police, (L & O),  
N2 Kasimedu Police Station,  
Chennai.

..Respondents in  
HCP.Nos.1895 and 1875  
of 2025

1. The State of Tamil Nadu Rep by,  
The Principal Secretary to Government, Home,  
Prohibition and Excise Department, Fort St.  
George, Chennai - 600 009
2. The Commissioner of Police,  
Chennai City Police Commissioner Office,  
Chennai District.
3. The Superintendent,  
Central Prison, Puzhal,  
Chennai District.



4. The Inspector of Police,  
N-2 Kasimedu Police Station, Chennai District  
(Cr.No.314 of 2025)

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..Respondents in  
HCP.Nos.1947, 1943 and  
1935 of 2025

**Prayer in HCP.No.1895 of 2025:** Habeas corpus petition filed under Article 226 of Constitution of India for issuance of a writ of habeas Corpus or any other appropriate order or direction in the nature of writ calling for the entire records relating to the Impugned Order of Detention passed by the second respondent in No.611/BBCDEFGISSSV/2025 dated 26.09.2025 and set aside the same and consequently direct the respondents to produce the detenu Kamal S/o.Muthuraja, aged about 22 years, petitioner's son now confined at Central Prison, Puzhal, Chennai before this Hon'ble Court and set him at liberty forthwith.

**Prayer in HCP.No.1875 of 2025:** Habeas corpus petition filed under Article 226 of Constitution of India for issuance of a Writ of Habeas Corpus or any other appropriate order or direction in the nature of writ, calling for the entire records relating to the impugned order of detention passed by the second respondent in No.630/BBCDEFGISSSV/2025 dated 03.09.2025 and set aside the same and consequently direct the respondents to produce the detenu Senthil Kumar, S/o.Arumugam, aged about 31 years, petitioner's son now confined at Central Prison, Puzhal, Chennai before this Hon'ble Court and set him at liberty.

**Prayer in HCP.No.1947 of 2025:** Habeas corpus petition filed under Article 226 of Constitution of India for issuance of any order writ or direction in the nature of WRIT OF HABEAS CORPUS, call for the entire records connected with the impugned order of detention passed by the 2<sup>nd</sup> Respondent in No.609/BBCDEFGISSSV/2025, dated 26.08.2025 and quash the same as illegal



and consequently directing the respondents to produce the detenu namely Vignesh @ Rooban, Male, aged 32, S/o.Muthuraman (Late), now detained in the Central Prison, Puzhal, Chennai, before this Hon'ble Court and set him at Liberty.

**Prayer in HCP.No.1943 of 2025:** Habeas corpus petition filed under Article 226 of Constitution of India for issuance of any order, writ or direction in the nature of Writ of Habeas Corpus, call for the entire records connected with the impugned order of detention passed by the 2<sup>nd</sup> respondent in No.610/BBCDEFGISSSV/2025, dated 26.08.2025 and quash the same as illegal and consequently directing the respondents to produce the detenu namely, Rahul Rajan, Male, aged 22, S/o.Rajalingam, now detained in the Central Prison, Puzhal before this Hon'ble Court and set him at liberty.

**Prayer in HCP.No.1935 of 2025:** Habeas corpus petition filed under Article 226 of Constitution of India for issuance of any order, writ or direction in the nature of WRIT OF HABEAS CORPUS, call for the entire records connected with the impugned order of detention passed by the 2<sup>nd</sup> Respondent in No.608/BBCDEFGISSSV/2025, dated 26.08.2025 and quash the same as illegal and consequently directing the respondents to produce the detenu namely, Dhanush, Male, aged 22, S/o.Venkatesan, now detained in the Central Prison, Salem before this Hon'ble Court and set him at liberty and thus render justice.

| HCP.No.                     | For petitioner      | For Respondents                                                                             |
|-----------------------------|---------------------|---------------------------------------------------------------------------------------------|
| 1895 and 1875 of 2025       | Mr.S.Saravana Kumar | Mr. R. Muniyapparaj<br>Additional Public Prosecutor<br>Assisted By<br>Mr. M. Sylvester John |
| 1947, 1943 and 1935 of 2025 | Mr.C.R.Gokulvisvas  | Mr. R. Muniyapparaj<br>Additional Public Prosecutor<br>Assisted By<br>Mr. M. Sylvester John |



## **COMMON ORDER**

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

A common order is passed in these matters, as the detenu are co-accused in Cr.No.314 of 2025.

2. We have heard Mr.S.Saravana Kumar, learned counsel for the petitioner in HCP.Nos.1895 and 1875 of 2025, Mr.C.R.Gokulvisvas, learned counsel for the petitioner in HCP.Nos.1947, 1943 and 1935 of 2025 and Mr.Muniyapparaj, learned Additional Public Prosecutor assisted by Mr.Sylvester John, learned counsel for the respondents in all the cases.

3. In HCP.No.1895 of 2025, the challenge is to an order of detention dated 26.08.2025, whereunder the detenu Kamal, male aged 23 years, S/o.Muthuraja, has been branded as a Goonda in terms of Section 2(f) of the Tamil Nadu Preventive Detention Act, 1982 (Tamil Nadu Act 14 of 1982) (in short 'Act').

4. In HCP.No.1875 of 2025, the challenge is to an order of detention dated 03.09.2025, whereunder the detenu Senthilkumar, male aged 31 years, S/o.Arumugam, has been branded as a Goonda in terms of Section 2(f) of the Act.



5. In HCP.No.1947 of 2025, the challenge is to an order of detention dated 26.08.2025, whereunder the detenu Vignesh @ Rooban, male aged 32 years, S/o.Muthuraman (Late), has been branded as a Goonda in terms of Section 2(f) of the Act.

6. In HCP.No.1943 of 2025, the challenge is to an order of detention dated 26.08.2025, whereunder the detenu Rahul Rajan, male aged 22 years, S/o.Rajalingam, has been branded as a Goonda in terms of Section 2(f) of the Act.

7. In HCP.No.1935 of 2025, the challenge is to an order of detention dated 26.08.2025, whereunder the detenu Dhanush, male aged 22 years, S/o.Venkatesan, has been branded as a Goonda in terms of Section 2(f) of the Act.

8. The orders of detention were preceded by the arrest of the detenu in HCP Nos.1895 of 2025, 1875 of 2025 and 1947 of 2025 on 30.07.2025 and in HCP Nos.1943 of 2025 and 1935 of 2025 on 31.07.2025.

9. Learned counsel for the petitioners would primarily assail the orders of detention on the satisfaction recorded by the detaining authority on the basis of bail granted in CrI.O.P.No.30749 of 2024 on 10.12.2024. According to the learned counsel for the petitioners, the facts in that case are different when compared with the present one.



10. A copy of order dated 10.12.2024 passed in Crl.O.P.No.30749 of 2024 is placed before us and we find that the facts are distinguishable when compared with the present matters. The facts captured at paragraphs 2 and 3 of that order read as follows:

*2. The incarceration of the petitioner being from 28.10.2024 pleading innocence on the part of the petitioner and false implication in the case, learned counsel for the petitioner seeks indulgence of this Court. He further submits that the petitioner is none other than the son of the deceased and there is no intention or motive on the part of the petitioner to murder his father. He also submitted that the deceased was the drunkard, who used to quarrel with the mother of the petitioner, and on the alleged date of occurrence, he intervened his father, due to which, there was a quarrel between them and the incident had happened only during the quarrel. He also submits that the petitioner is ready to abide by any stringent condition that may be imposed by this Court.*

*3. The case of the prosecution as putforth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of bail, is that it is the case of patricide, where, the petitioner had pushed his father/victim during the quarrel, due to which, the victim fell down and succumbed to injuries and the petitioner, to screen the evidence, set fire to the body of the deceased. Thereby, the case registered under Section 194 of BNSS has been altered to one under Section 103 of BNS. He*



*further submits that the investigation in this case is still pending.*

11. Thus, in summary, the petitioner in that case was an accused of patricide of murdering his father and then setting fire to his body. Those facts do not arise in the present matters and are completely distinguishable from each other.

12. We hence find that the subjective satisfaction recorded by the detaining authority is vitiated insofar as, in the grounds of detention, the detaining authority relies on the aforesaid bail order to conclude that there is a possibility of the detenus being enlarged on bail.

13. For the aforesaid reasons, these Habeas Corpus Petitions are allowed and the Detention Orders passed by the second respondent in No.611/BBCDEFGISSSV/2025 dated 26.08.2025 (HCP No.1895 of 2025), No.630/BBCDEFGISSSV/ 2025 dated 03.09.2025 (HCP No.1875 of 2025), No.609/BBCDEFGISSSV/2025 dated 26.08.2025 (HCP No.1947 of 2025), No.610/BBCDEFGISSSV/2025 dated 26.08.2025 (HCP No.1943 of 2025) and No.608/ BBCDEFGISSSV/2025 (HCP No.1935 of 2025) are hereby set aside.

14. The detenus, viz., Kamal, S/o.Muthuraja, male aged 23 years (HCP No.1895 of 2025), Senthilkumar, male aged 31 years, S/o.Arumugam (HCP No.1875 of 2025), Vignesh @ Rooban, male aged 32 years, S/o.Muthuraman (Late) (HCP No.1947 of 2025), Rahul Rajan, male aged 22 years,



S/o.Rajalingam (HCP No.1943 of 2025), and Dhanush, male aged 22 years,

S/o.Venkatesan (HCP No.1935 of 2025), who are now confined in Central

Prison, Puzhal, Chennai, are hereby directed to be set at liberty forthwith unless their presence is required in connection with any other case.

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

24-03-2026

sl

Index: Yes/No

Speaking order

Neutral Citation: Yes

**Note: Registry is directed to issue a copy of this order today (24.03.2026)**

To

1. The Secretary to Government,  
State of Tamil Nadu,  
(Home), Prohibition and Excise Department,  
Secretariat,  
Fort St.George,  
Chennai-600 009.
2. The Commissioner of Police  
O/o.Commissioner of Police, (Goondas Section), Vepperi,  
Chennai-07.
3. The Superintendent,  
Central Prison,  
Puzhal, Chennai-66.
4. The State rep by its  
The Inspector of Police, (L & O),  
N2 Kasimedu Police Station,  
Chennai.



5. The Commissioner of Police,  
Chennai City Police Commissioner Office,  
Chennai District.
6. The Public Prosecutor,  
High Court of Madras.
7. The Joint Secretary to Government,  
Public (Law and Order),  
Secretariat, Fort.St.George, Chennai -9.



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HCP Nos. 1895, 1875, 1947, 1943 and 1935 of 2



**DR.ANITA SUMANTH J.**

**AND**

**SUNDER MOHAN J.**

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**HCP Nos. 1895, 1875, 1947, 1943 and 1935 of 2025**

**24-03-2026**