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Order QR

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.11.2026

CORAM

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

**AND**

**THE HON'BLE MR. JUSTICE B.KARTHIKEYAN**

Case QR

HCP.No.1927 of 2026

*CNR: {HCMA012298992026}*

Devi

..Petitioner(s)

Vs.

1. State of Tamil Nadu rep. by,
   The Additional Chief Secretary to Government,
   Home, Prohibition & Excise Department,
   Fort St. George, Chennai – 600 009.

2. The Commissioner of Police,
   Greater Chennai, Vepery, Chennai.

3. The Superintendent,
   Central Prison,
   Puzhal, Chennai – 66.

4. The Inspector of Police,
   H-6, Dr.R K Nagar Police Station,
   Tiruvallur,
   Crime No.219 of 2026.

..Respondent(s)

**Prayer:** Habeas Corpus Petition filed under Article 226 of the Constitution of India, seeking to issue a Writ of Habeas Corpus, calling for the records relating to the detention order No.323/BBCDEFGISSSV/2026 dated 14.07.2026 passed by the second respondent, quash the same and to consequently, direct the respondents herein to produce petitioner's son namely, D.J.Anandhababu, male, aged 25 years, S/o. Suresh (who is now confined in Central Prison, Puzhal, Chennai), before this Court and set him at liberty.



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For Petitioner(s) : Mr.E.Anandababu

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

**ORDER**

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

The petitioner is the mother of the detenu, viz., D.J.Anandhababu, son of Suresh, aged about 25 years. The detenu has been detained by the second respondent by his order in No.323/BBCDEFGISSSV/2026, dated 14.07.2026, holding him to be a "Goonda" as contemplated under Section 2(f) of the Tamil Nadu Preventive Detention Act,1982 (Tamil Nadu Act 14 of 1982). The said order is under challenge in this habeas corpus petition.

2. Learned counsel for the petitioner submitted that the detaining authority, while relying on another case stating it to be a similar case, inferred that there is a real possibility of the detenu coming out on bail. He further submitted that the order relied upon by the detaining authority is the order dated 19.09.2024 passed in Crl.M.P.No.26094 of 2024 in respect of Crime No.496 of 2024, by the learned Principal Sessions Judge, Chennai. In that case, the accused therein were granted bail since they have got only one previous case each, whereas, as far as the case of the detenu herein is concerned, he has five previous cases. Therefore, it cannot be taken as a similar case. Hence, he prayed for the impugned detention order 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 available on record, it is seen that the case relied upon by the detaining authority to infer that there is a real possibility of the detenu coming out on bail, is not similar to the case of the detenu herein. 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 stands **allowed** and the order of detention in No.323/BBCDEFGISSSV/2026, dated 14.07.2026, passed by the second respondent, is set aside. The detenu, viz., D.J.Anandhababu, son of Suresh, aged about 25 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.)**
**04.11.2026**

skt

Neutral Citation: Yes/No


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To:

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2. The Commissioner of Police,
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Vepery, Chennai.

3. The Superintendent,
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4. The Inspector of Police,
H-6, Dr.R K Nagar Police Station,
Tiruvallur,
Crime No.219 of 2026.

5. The Public Prosecutor,
Madras High Court.


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

skt

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