



WEB COPY

HCP No. 1923 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-03-2026

CORAM

THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

HCP No. 1923 of 2025

Vailet, (F/A.43 years)
W/o. Kumar,
No.1, Sathiya Nagar,
Nungambakkam Village & Post,
Thiruvallur Taluk,
Thiruvallur District.

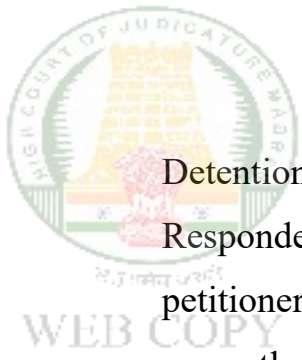
..Petitioner(s)

Vs

1. The State of Tamil Nadu, Rep. By its Secretary,
Home, Prohibition and Excise Department,
Fort St.George, Chennai-600 009
2. The District Magistrate & District Collector,
Thiruvallur, Thiruvallur District.
3. The Superintendent of Prison,
Central Prison, Puzhal,
Chennai District.
4. The Superintendent of Police,
Thiruvallur, Thiruvallur District.
5. The Inspector of Police,
Manavala Nagar, Thiruvallur District.

..Respondent(s)

Prayer: Petition filed under Article 226 of Constitution of India for
issuance of writ of Habeas Corpus to call for the records relating to the



Detention Order No.27/2025 dated 25.08.2025, passed by the Second Respondent and quash the same and direct the respondents herein to produce the petitioner's Husband namely Kumar, S/o. Kuppusamy, aged 45 years, (who is presently undergoing detention in the Central Prison, Puzhal II, Chennai), before this Hon'ble Court and set him at liberty.

For Petitioner(s): Mr.R.Parthiban

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

ORDER

(Made by SUNDER MOHAN, J.)

The wife of the detenu – Kumar, branded as Goonda under Section 2(f) of the Tamil Nadu Act 14 of 1982 has filed this petition challenging the detention order dated 25.08.2025.

2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondents.

3.It is seen from the grounds of detention that the detaining authority has referred to an order passed in CrI.M.P.No.4544 of 2023, by the Sessions Court, in which the facts are stated to be similar to the facts in the detenu's case, to infer that the detenu is likely to be released on bail in the ground case. In the said case, bail was granted since the defacto complainant had no objection for release of the accused on bail. Therefore, reliance upon the said order to infer



that the detenu is likely to be released on bail suffers from non-application of mind.

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4. In light of the aforesaid discussion, this Habeas Corpus Petition is allowed and the Detention Order passed by the second respondent in Detention Order No.27/2025, dated 25.08.2025 is hereby set aside.

5. The detenu, viz., Kumar, S/o. Kuppusamy, aged 45 years, who is now confined in Central Prison-II, 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.)
23-03-2026

vs

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

To

1. The Secretary, Home, Prohibition and Excise Department, Fort St.George, Chennai-600 009.
2. The District Magistrate & District Collector, Thiruvallur, Thiruvallur District.
3. The Superintendent of Prison, Central Prison, Puzhal, Chennai District.
4. The Superintendent of Police, Thiruvallur, Thiruvallur District.
5. The Inspector of Police, Manavala Nagar, Thiruvallur District.



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

7. The Public Prosecutor,
High Court, Madras.

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DR.ANITA SUMANTH J.

AND

SUNDER MOHAN J.

VS

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