



HCP No. 1995 of 2025

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

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Usharani

..Petitioner(s)

Vs

1. The Secretary to the Government,
Home Prohibition and Excise Department,
Secretariat, Chennai - 600 009.
2. The District Collector and District Magistrate of
Ranipet District, Ranipet - 1.
3. The Superintendent of Police,
Ranipet District, Ranipet.
4. The Superintendent of Prison,
Central Prison, Vellore.
5. The Inspector of Police,
Ranipet Police Station,
Ranipet District.

..Respondent(s)

Prayer : Petition filed under Article 226 of Constitution of India praying for issuance of Writ of Habeas Corpus, calling for the records in connection with the order of Detention passed by the second respondent dated 13.09.2025 in B3/D.O.No.83/2025 against the petitioner's husband



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Rajivgandhi @ Raji, Male aged 41 years S/o.Datchanamoorthis who is confined at Central Prison, Vellore and set aside the same and direct the respondents to produce the detenu before the Court and set him at liberty.

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

ORDER

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

The wife of the detenu – Rajivgandhi @ Raji, S/o.Datchanamoorthis, aged about 41 years, has filed this petition challenging the detention order dated 13.09.2025, branding him as ‘Goonda’ under Section 2(f) of the Tamil Nadu Preventive Detention Act, 1982 (Act 14/1982).

2. We have heard learned counsel for petitioner and learned Additional Public Prosecutor for respondents.

3. Though several grounds have been raised, we are of the view that the detention order is liable to be quashed on the ground that the satisfaction of the detaining authority as regards the real possibility of the detenu coming out on bail suffers from non-application of mind.



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4. In the grounds of detention, the detaining authority has stated that the detenu's applications in Cr.M.P.Nos.1217 & 1280 of 2025 seeking for bail before the Principal Sessions Judge, Ranipet came to be dismissed and that there is a possibility of the detenu coming out on bail, since in a similar case, accused therein has been granted bail by the Principal Sessions Court, Ranipet in CrI.MP.No.387 of 2025. However, admittedly there was no material placed before the detaining authority that the detenu or his relatives were taking steps to file a bail application. In such circumstances, inference of the detaining authority that the detenu is likely to file a bail application and come out on bail is his mere *ipse dixit* without any basis. Since the satisfaction arrived at by the detaining authority is erroneous, further conclusion that the detenu would indulge in further criminal activities also, is without any basis. 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 B3/D.O.No.83/2025 dated 13.09.2025 is set aside.



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6. The detenu, viz., Rajivgandhi @ Raji, S/o.Datchanamoorthis, aged about 41 years, who is now confined in Central Prison, Vellore, 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.)
27-04-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

Note: Issue Order Today.

Tsg

To

1. The Secretary to the Government,
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Secretariat, Chennai - 600 009.
2. The District Collector and District Magistrate of
Ranipet District, Ranipet - 1.
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6. The Public Prosecutor,
High Court, Madras.



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

Tsg

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