



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04-06-2026

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THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

HCP No.1960 of 2025

Shanthi
W/o.Sankar,
No.36/14, First Street,
Mettu Kudisai, Mahamedpet,
Mullandiram , Arani Taluk,
Tiruvannamalai District.

...Petitioner/Mother of
the detenu

Vs

1. The Secretary to the Government,
Home, Prohibition and Excise Department,
Secretariat,
Chennai - 600 009.
2. 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
All Women Police Station,
Ranipet District.

...Respondents



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 01.09.2025 in B3/D.O.No.76/2025 against the petitioner Son Karthik, Male aged 27 years S/o.Sankar, who is confined at Central Prison, Vellore and set aside the same and direct the respondents to produce the detenu before the Hon'ble Court and set him at liberty.

For Petitioner: Ms.J.K.Madhumathi.
For Mr.D.Balaji

For Respondents: Mr.C.R.Malarvannan
Counsel for Government of Tamil Nadu
(Criminal Side)

ORDER

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

The mother of the detenu – Karthik, aged 27 years, S/o.Sankar, has filed this petition challenging the detention order dated 01.09.2025, branding him as a 'Sexual Offender' under Section 2(ggg) of the Tamil Nadu Preventive Detention Act, 1982 (Act 14/1982).

2. We have heard learned counsel for petitioner and learned counsel for Government of Tamil Nadu (Criminal Side) 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.

4. In the grounds of detention, the detaining authority has stated that there is a possibility of the detenu coming out on bail. However, admittedly, the detenu had not filed any bail application and 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*. Since the satisfaction arrived at by the detaining authority is without basis, the conclusion that the detenu would indulge in further criminal activities, is vitiated. For the above mentioned reason, the detention order is liable to be quashed.

5. Accordingly, this Habeas Corpus Petition is allowed and the Detention Order passed by the second respondent in Detention Order in B3/D.O.No.76/2025 dated on 01.09.2025 is set aside.



6. The detenu, viz., Karthik, aged 27 years, S/o.Sankar, now confined in Central Prison, Vellore, is 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.)
04-06-2026

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

Note: Issue Order Copy Today.

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To

1. The Secretary to the Government
Home, Prohibition and Excise Department,
Secretariat,
Chennai-600 009.
2. 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,
All Women Police Station,
Ranipet District.

6. The Joint Secretary,
Law and Order Department,
Secretariat,
Chennai – 600 009.

7. The Public Prosecutor,
High Court of Madras.

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

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