



H.C.P.No.2068 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.02.2026

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN
and
THE HONOURABLE MR. JUSTICE M.JOTHIRAMAN

H.C.P.No.2068 of 2025

B.Selvi

... Petitioner

Vs.

1. The State rep. by its Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat, Chennai – 600 009.

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

3. The Superintendent of Prison,
Central Prison Puzhal,
Chennai.

4. The Inspector of Police,
W20, All Womens Police Station,
Saidapet, Chennai – 600 017.

....Respondents

Prayer: This Habeas Corpus Petition has been filed under Article 226 of the Constitution of India to issue Writ of Habeas Corpus to call for the records of the detention order in Memo BCDFGISSSV No.264 of 2025 dated 16.05.2025 passed by the second respondent under Section 3(2) of Tamil Nadu Act 14/1982, set aside the same and direct the respondents to produce the detainee Vinoth Kumar S/o. Baskar, who is confined at Central Prison, Puzhal, Chennai, before this Court and set him at liberty.



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H.C.P.No.2000 of 2025

For Petitioner : Mr.R.Loganathan

For Respondents : Mr.R.Muniyapparaj, Addl. Public Prosecutor,
Assisted by Mr.M.Sylvester John

ORDER

The petitioner, who is the mother of the detenu Vinoth Kumar S/o. Baskar, aged about 33 years, has come forward with this petition challenging the detention order passed by the second respondent dated 16.05.2025 in BCDFGISSSV No.264 of 2025 under Sub Section (1) of Section 3 of the Tamil Nadu Prevention of Dangerous Activities of Bootleggers, Cyber Law Offenders, Drug Offenders, Forest Offenders, Goondas, Immoral Traffic Offenders, Sand Offenders, Sexual Offenders, Slum Grabbers and Video Pirates Act, 1982 [Tamil Nadu Act 14 of 1982] r/w the order issued by the Government in G.O.(D) No.97, Home, Prohibition and Excise (XIV) Department, dated 11.04.2025 under Sub Section (2) of Section 3 of the said Act.

2 According to learned counsel for the petitioner, statement given by the victim before the Investigating Officer and the trial Court are entirely different and there is no truth in the case of the prosecution.



3

Learned Additional Public Prosecutor submitted that the detinue is a sexual offender, who is father of the victim, who is only 5 years old. Therefore the detaining authority, after arriving at subjective satisfaction, passed the detention order.

4

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

5

It is seen that the detention order was passed on 16.05.2025. The detinue is none other than the father of the victim, who is only 5 years old. Even though the learned counsel for the petitioner contended that the statements of the victim before the Investigating Officer and the Magistrate are entirely different, the statement of the victim recorded before the trial Court only at later point of time, which was not available while passing the detention order. Therefore subsequent events cannot be taken into consideration as ground for quashing the detention order.

6

In view of the above, we do not find any legal grounds to quash the detention order. Hence this Habeas Corpus Petition stands dismissed.

[PVJ]

[MJRJ]

10.02.2026

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H.C.P.No.2000 of 2020

To

1. The Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat, Chennai – 600 009.
2. The Commissioner of Police,
Greater Chennai Police,
Veppery, Chennai.
3. The Superintendent of Prison,
Central Prison Puzhal, Chennai.
4. The Inspector of Police,
W20, All Womens Police Station,
Saidapet, Chennai – 600 017.
5. The Additional Public Prosecutor, Madras High Court.



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P.VELMURUGAN. J.
and
M.JOTHIRAMAN, J.

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