



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01-06-2026

CORAM

THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

HCP No. 2135 of 2025

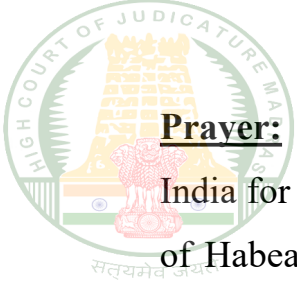
P.Vinci
W/o Praveen Kumar,
No.13, B-Block,
Muthamizh Nagar,
Tondairpet,
Chennai – 600 081.

..Petitioner(s)

Vs

1. The Secretary To Government
Prohibition and Excise Department,
Fort.St.George,
Chennai - 600009.
2. The Commissioner of Police
Avadi Commissionerate,
Avadi,
Chennai.
3. The State Rep. By
The Inspector Of Police
T-16, Nazarathpet Police Station,
Avadi,
Chennai.

..Respondent(s)

**Prayer:**

Habeas Corpus petition filed under Article 226 of Constitution of India for issuance of a Writ or order or orders or direction, in the nature of Writ of Habeas Corpus, to call for the records in Memo No.135/TNPD/2025 dated 06.09.2025 on the file of the second respondent herein and quash the same and direct the respondents to produce the detenu Ajay Kumar, S/o Praveen Kumar, aged 25 years, residing at D.No.13, B-Block, Muthamizh Nagar, Tondiarpet, Chennai – 600 081, now confined at Central Prison, Puzhal, Chennai, before this Honourable Court and set him at liberty.

For Petitioner(s): Mr.M.Venugopal

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

ORDER

(Order of the Court was made by Dr.Anita Sumanth J.)

The mother of Ajaykumar, who has been branded as ‘Goonda’ under Section 2(f) of the Tamil Nadu Preventive Detention Act, 1982 (Act 14/1982) and jailed in Central Prison, Puzhal, Chennai, has approached this Court challenging the detention order dated 06.09.2025.

2. The case of the petitioner represented by Mr.Venugopal for petitioner is that the impugned order is rife with errors and inconsistencies and this point is illustrated by a comparison of the English and Tamil versions of the detention order. In addition, learned counsel for petitioner would also assail the subjective satisfaction of the detaining authority pointing out that the bail order relied upon by the authority has no similarity whatsoever with the case of the detenu.



3. We have heard Mr.Venugopal, learned counsel for petitioner and Mr.C.R.Malarvannan, learned counsel for Government of Tamil Nadu (Criminal Side) for respondents.

4. Upon a careful consideration of the rival contentions and a perusal of the booklet, we accept the case of the petitioner for the following reasons. In the English version of the detention order, [at internal page 4], there is a reference to two individuals Richard and Manoj Kumar, who are witnesses in the matter. However, the Tamil version of the same order refers to the same individuals as accused and to this extent there is certainly an error indicating non-application of mind on the part of the authority.

5. That apart, the subjective satisfaction of the authority that the detenu would be let out on bail also does not appear to be valid, in that, reference is made to order passed in CrI MP No. 1721 of 2025 passed on 30.04.2025 by the Principal District and Sessions Judge at Tiruvallur. However, there is no similarity between the charges dealt with by the Tiruvallur Court, and the present case. In that matter, the charges related to offence under Sections 74,76, 296(b), 115(2), 351(3) of the BNS r/w 4 of TNWPH Act whereas in the present cases, the charges relate to offence under Sections 332, 127(2) and 311 of the BNS, 2023.



6. In light of the aforesaid discussion, this Habeas Corpus Petition is allowed and the Detention Order passed by the second respondent in No.135/TNPD/APC/2025, dated 06.09.2025 is set aside.

7. The detenu, viz., Ajaykumar, S/o. Praveenkumar, aged 25 years, who is now confined in Central Prison, 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.)
01-06-2026

ssm

Index: Yes/No

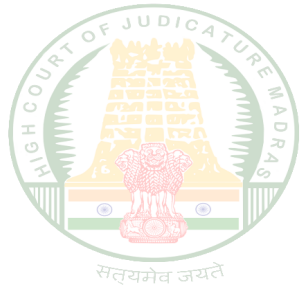
Speaking order

Neutral Citation: Yes

Note to Registry: Issue Today

To

1. The Secretary To Government
Prohibition and Excise Department,
Fort.St.George,
Chennai - 600009.
2. The Commissioner of Police
Avadi Commissionerate,
Avadi, Chennai.
3. The Inspector Of Police
T-16, Nazarathpet Police Station,
Avadi, Chennai.
4. The Joint Secretary,
Law and Order Department, Secretariat, Chennai.
5. The Public Prosecutor, High Court, Madras.



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DR.ANITA SUMANTH, J.

AND

SUNDER MOHAN, J.

ssm

HCP No. 2135 of 2025

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