



WEB COPY



H.C.P.No.2064 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.04.2026

CORAM :

THE HONOURABLE DR.JUSTICE ANITA SUMANTH
and
THE HONOURABLE MR.JUSTICE SUNDER MOHAN

H.C.P.No.2064 of 2025

Karunanithi, M/45,
S/o. Subramani
No.9/3, Gopura Street,
Dhamal, Kanchipuram District.

.. Petitioner

VS

- 1.The Additional Chief Secretary to Government,
Home, Prohibition and Excise (XVI) Department,
Secretariat, Chennai-600 009.
- 2.The District Collector & District Magistrate,
Kanchipuram District, Kanchipuram.
- 3.The Superintendent of Police,
O/o. Superintendent of Police,
Kanchipuarm District.
- 4.The Superintendent of Prison,
Central Prison, Puzhal,
Chennai District.
- 5.The Inspector of Police,
Basluchettychatram Police Station,
Kanchipuram District.

.. Respondents

Prayer : Petition filed under Article 226 of Constitution of India praying for issuance of Writ of Habeas Corpus calling for the entire records



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connected with the detention order in Rc.No.665/2025/M6, D.No.27/2025 on 07.08.2025 on the file of the 2nd respondent and quash the same and direct the respondents to produce petitioner's son named Tamilarasan @ Vellai, S/o. Karunanithi, aged about 25 years, now confined at Central Prison, Puzhal, before this Court and set him at liberty forthwith.

For Petitioner : Mr.M.Mohamed Saifulla
for Mr.P.Muthamizh Selvakumar

For Respondents : Mr.R.Muniyapparaj
Additional Public Prosecutor
assisted by
Mr.M.Sylvester John

ORDER

(Made by Dr. ANITA SUMANTH, J.)

The petitioner has approached this Court challenging detention order dated 07.08.2025 passed against his son Tamilarasan @ Vellai (detenu) branding him a 'Drug Offender' under Section 2(e) of the Tamil Nadu Preventive Detention Act, 1982 (Act 14/1982). The detenu is confined in Central Prison, Puzhal, Chennai.

2. We have heard Mr.Mohamed Saifulla, for the petitioner and Mr.R.Muniyapparaj, learned Additional Public Prosecutor for the respondents.

3. One of the grounds on which the order of detention has been passed is the inference of the detaining authority that the detenu would be enlarged on bail. For this purpose, the detaining authority relies upon an order passed in Crl.MP No. 4282 of 2022 on 09.09.2022.



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4. We have perused the aforesaid order passed in the case of another accused and find that bail was granted as there is no previous case as against that accused. The facts are different in the present case and far graver, as apart from the ground case, the detenu has one adverse case also as against him.

5. The facts not being comparable, the inference of the detaining authority that the detenu will be enlarged on bail cannot be sustained and vitiates the order of detention. We thus set aside the order of detention passed by the second respondent in Rc.No.665/2025/M6, D.No.27/2025, dated 07.08.2025 on this ground.

6. This Habeas Corpus Petition is allowed. The detenu, viz., Tamilarasan @ Vellai, S/o.Karunanithi, 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.]
16.04.2026

Index:Yes/No
Neutral Citation:Yes/No
ssm

Note : Issue Today



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To

- 1.The Additional Chief Secretary to Government,
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Secretariat, Chennai-600 009.
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- 3.The Superintendent of Police,
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- 4.The Superintendent of Prison,
Central Prison, Puzhal,
Chennai District.
- 5.The Inspector of Police,
Basluchettychatram Police Station,
Kanchipuram District.
- 6.The Joint Secretary,
Law and Order Department,
Secretariat, Chennai
- 7.The Public Prosecutor,
High Court, Madras.



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and
SUNDER MOHAN,J.

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