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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-11-2026

CORAM

Case QR

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

AND

THE HON'BLE MR. JUSTICE B.KARTHIKEYAN

H.C.P.No.2116 of 2026

CNR: {HCMA012454772026}

Devi ..Petitioner(s)

Vs

1. State of Tamil Nadu rep. by,
   The Additional Chief Secretary to Government,
   Home, Prohibition and Excise Department,
   Fort St. George, Chennai – 600 009.

2. The Commissioner of Police,
   The Greater Chennai City,
   Vepery, Chennai – 600 007.

3. The Superintendent of Prison
   Central prison, Puzhal,
   Chennai – 600 066.

4. The Inspector of police
   E-3, Minjur Police Station,
   Tiruvallur. ..Respondent(s)

PRAYER: Habeas Corpus Petition is filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus or any other writ of direction calling for the records relating to the detention order in Memo No.156/TNPD/APC/2026, dated 09.06.2026 passed by the 2nd respondent under the Tamil Nadu Act 14 of 1982 and set aside the same and direct the respondents to produce the petitioner's husband Soundar @ Vali @ Vallarasu

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S/o Senguttuvan, aged about 25 years the detenu, now confined in Central Prison, Puzhal, Chennai before this Court and set him at liberty.

For Petitioner(s): Mr.D.Gopikrishnan

For Respondent(s): Mr.M.Mohamed Riyaz,
Additional Public Prosecutor

ORDER

(Made by A.D.JAGADISH CHANDIRA J.)

The petitioner, who is the wife of the detenu Soundar @ Vali @ Vallarasu, male, aged 25 years, son of Senguttuvan, has come forward with this petition challenging the detention order passed by the second respondent in No.156/TNPD/APC/2026, dated 09.06.2026 branding the detenu as a "Drug Offender" under Section 2(e) 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].

2. We have heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents. We have also perused the records produced by the Detaining Authority.

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3. Learned counsel for the petitioner submitted that the detenu had not filed any application for bail in respect of the ground case so far. He further submitted that though the detaining authority averred that the relatives of the detenu are taking steps to bring the detenu on bail, the statement refers only to the ground case and does not refer to the other adverse cases. Therefore, there is no possibility of the detenu coming out on bail. The subjective satisfaction recorded by the detaining authority without disclosing the facts of the other case and without any supporting material, is a mere *ipse dixit*. Hence, he prays for setting aside the impugned detention order.

4. On a perusal of the materials on record, it is evident that there is no material to substantiate the observation that the relatives were taking steps to file bail application for the detenu in other adverse cases. Thus, when no such bail application has been filed by the detenu, there is no likelihood of the detenu being released on bail. Therefore, the subjective satisfaction arrived at by the detaining authority is a mere *ipse dixit.* Further, the present case is squarely covered by the judgment of the Hon'ble Supreme Court in *Alagu vs The State of Tamil Nadu,* reported in *2026 SCC OnLine SC 976.* Therefore, we are inclined to interfere with the impugned order.

5. In the result, this Habeas Corpus Petition is allowed and the order of detention in No.156/TNPD/APC/2026, dated 09.06.2026, passed by the

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second respondent, is set aside. The detenu, viz., Soundar @ Vali @ Vallarasu, son of Senguttuvan, aged about 25 years, is directed to be released forthwith unless his detention is required in connection with any other case.

(A.D.J.C., J.) (B.K., J.)
17-11-2026

Neutral Citation: Yes/No

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To

1. The Additional Chief Secretary to Government,
   Home, Prohibition and Excise Department,
   Fort St. George, Chennai – 600 009.

2. The Commissioner of Police,
   The Greater Chennai City,
   Vepery, Chennai – 600 007.

3. The Superintendent of Prison
   Central prison, Puzhal,
   Chennai – 600 066.

4. The Inspector of police
   E-3, Minjur Police Station,
   Tiruvallur.

5. The Public Prosecutor,
   High Court of Madras.

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A.D.JAGADISH CHANDIRA, J.
AND
B.KARTHIKEYAN, J.

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