



WEB COPY



H.C.P.No.2084 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.2084 of 2025

Velankanni, F/a 31
W/o.Vasantharaj,
No.56, Boopathi Nagar,
Kodambakkam, Chennai - 24.

.. Petitioner

VS

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

2.The Commissioner of Police,
Greater Chennai Police Commissioner,
Vepery, Chennai – 7.

3.The Superintendent,
Central Prison, Puzhal, Chennai – 66.

4.The Inspector of Police,
K-8 Vadapalani Police Station,
Chennai.

.. Respondents

Prayer : Petition filed under Article 226 of Constitution of India praying for issuance of Writ of Habeas Corpus calling for the records relating to the detention order in Memo No.540/BBCDEFGISSSV/2025 dated 07.08.2025 passed by the 2nd respondent under Tamil Nadu Act 14 of 1982 and set aside the same and direct the respondents to produce the



H.C.P.No.2084 of 2025

petitioner's husband Vasantharaj, S/o. Anbu, the detenu now confined in Central Prison, Puzhal, Chennai before this Court and set the petitioner's husband Vasantharaj, S/o. Anbu, aged about 39 years, the detenu herein at liberty.

For Petitioner : Mr.N.Naresh

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

ORDER

(Made by Dr. ANITA SUMANTH, J.)

The wife of the detenu (Vasantharaj) has challenged the detention order dated 07.08.2025 branding him as 'Goonda' under Section 2(f) of the Tamil Nadu Preventive Detention Act, 1982 (Act 14 of 1982).

2. Heard learned counsel for petitioner and learned Additional Public Prosecutor.

3. The detention order is liable to be quashed on the sole ground that the detaining authority's satisfaction that the detenu is likely to be released on bail is based on the unsigned statement of the relative of the detenu, who is said to have stated that he is taking steps to file a bail application on behalf of the detenu. We have in HCP No. 1684 of 2025, held that, the unsigned statement cannot be relied upon to infer that the detenu is likely to file bail application.



WEB COPY



H.C.P.No.2084 of 2025

4. Since the satisfaction arrived at in this regard is without basis, we are of the view that the detention order passed on the premise that the bail application would be filed on behalf of detenu and he is likely to be released on bail, suffers from non-application of mind. Therefore, the impugned order is liable to be set aside.

5. In light of the aforesaid discussion, this Habeas Corpus Petition is allowed and the Detention Order passed by the second respondent in No.540/BBCDEFGISSSV/2025 dated 07.08.2025 is set aside.

6. The detenu, viz., Vasantharaj, S/o. Anbu, aged 39 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
To

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

2.The Commissioner of Police,
Greater Chennai Police Commissioner,
Vepery, Chennai – 7.

3/5



H.C.P.No.2084 of 2025

WEB COPY

3.The Superintendent,
Central Prison, Puzhal, Chennai – 66.

4.The Inspector of Police,
K-8 Vadapalani Police Station,
Chennai.

5.The Joint Secretary,
Law and Order Department,
Secretariat, Chennai

6.The Public Prosecutor,
High Court, Madras.



WEB COPY



H.C.P.No.2084 of 2025

DR. ANITA SUMANTH,J.
and
SUNDER MOHAN,J.

ssm

H.C.P.No. 2084 of 2025

16.04.2026