



HCP No.2136 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03-06-2026

CORAM

THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

HCP No.2136 of 2025

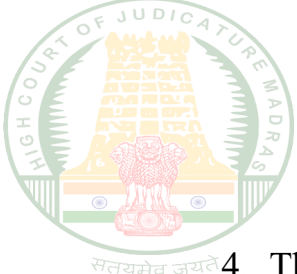
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Yuvarani
W/o Seenivasan,
No.40-A, Kaliyamman Kovil,
Mythanam,
Dadagapatti,
Salem District.

...Petitioner/Wife of the
Detenu

Vs

1. The State of Tamil Nadu,
Represented by its
Secretary to Government (Home),
Prohibition and Excise Department,
Secretariat,
Fort St.George,
Chennai – 600 009.
2. The Commissioner of Police,
Salem City,
Salem.
3. The Superintendent of Prison,
Central Prison,
Salem District.



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4. The Inspector of Police,
Annadanapatty Police Station,
Salem District.

...Respondents

Prayer : Petition filed under Article 226 of Constitution of India praying for issuance of Writ of Habeas Corpus, calling for the records pertaining to the order of detention passed in his proceedings in C.M.P.No.52/Drug Offender/Salem City/2025 dated on 18.09.2025 passed by the 2nd respondent and set aside the same and directing the respondents to produce the Petitioner's husband by name in Seenivasan Son of Raja aged about 33 years before this Court now confined in Central Prison, Salem and set him at liberty.

For Petitioner: Mr.M.Arun Raja
for C.Deepakkumar

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

ORDER

(Order of the Court was made by Sunder Mohan J.)

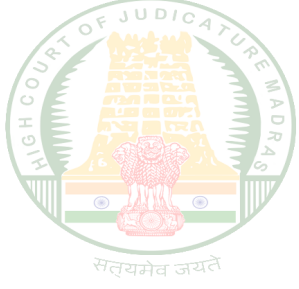
The wife of the detenu – Seenivasan, aged 33 years, S/o.Raja, has filed this petition challenging the detention order dated 18.09.2025, branding him as a 'Drug Offender' under Section 2(e) of the Tamil Nadu Preventive Detention Act, 1982 (Act 14/1982).



2. We have heard learned counsel for petitioner and learned counsel for Government of Tamil Nadu (Criminal Side) for respondents.

3. Though several grounds have been raised, we are of the view that the detention order is liable to be quashed on the ground that the satisfaction of the detaining authority as regards the real possibility of the detenu coming out on bail suffers from non-application of mind.

4. In the grounds of detention, the detaining authority has stated that there is a possibility of the detenu coming out on bail. However, admittedly, the detenu had not filed any bail application and there was no material placed before the detaining authority that the detenu or his relatives were taking steps to file a bail application. In such circumstances, inference of the detaining authority that the detenu is likely to file a bail application and come out on bail is his mere *ipse dixit*. Since the satisfaction arrived at by the detaining authority is without basis, the conclusion that the detenu would indulge in further criminal activities, is vitiated. For the above mentioned reason, the detention order is liable to be quashed.



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5. Accordingly, this Habeas Corpus Petition is allowed and the Detention Order passed by the second respondent in Detention Order in C.M.P.No.52/Drug Offender/Salem City/2025 dated on 18.09.2025 is set aside.

6. The detenu, viz., Seenivasan, aged 33 years, S/o.Raja, now confined in Central Prison, Salem, is 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.)
03-06-2026

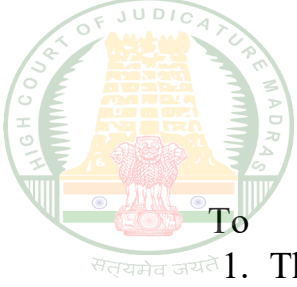
Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

dk

Note: Issue Order copy today.



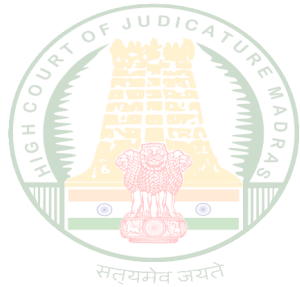
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To

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1. The Secretary to Government (Home),
Prohibition and Excise Department,
Secretariat,
Fort St.George,
Chennai – 600 009.
2. The Commissioner of Police
Salem City,
Salem.
3. The Superintendent of Prison
Central Prison,
Salem District.
4. The Inspector Of Police
Annadanapatty Police Station,
Salem District.
5. The Joint Secretary,
Law and Order Department,
Secretariat, Chennai – 600 009.
6. The Public Prosecutor,
High Court of Madras.



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**DR.ANITA SUMANTH, J.
AND
SUNDER MOHAN, J.**

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