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H.C.P.No.2133 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.2133 of 2025

K.Sandhya, (Aged 21 years),
W/o. Krishnamoorthy,
No.30, Johnibasha Street, Royapettah,
Chennai-600 014.

.. Petitioner

VS

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

2.The Commissioner of Police,
Greater Chennai,
Office of the Commissioner of Police,
Vepery, Chennai.

3.The Superintendent of Police,
Central Prison,
Puzhal, Chennai.

4.The Inspector of Police,
D-2, Anna Salai Police Station,
Chennai.

.. Respondents

Prayer : Petition filed under Article 226 of Constitution of India praying
for issuance of Writ of Habeas Corpus to call for the records pertaining to
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the order of detention passed by the second respondent in his proceedings in No.558/BBCDEFGISSV/2025, dated 11.08.2025 and quash the same as illegal and produce the detenu, namely Krishnamoorthi S/o Ramu, aged 24 years, as GOONDA now he is confined in Central Prison, Puzhal II, Chennai before this Court and set him at liberty.

For Petitioner : Mr.V.Vignesh

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

ORDER

(Made by Dr. ANITA SUMANTH, J.)

In this Habeas Corpus Petition, the wife of Krishnamoorthy S/o Ramu, who has been detained under order dated 11.08.2025 and kept in custody of Central Prison, Puzhal, Chennai has challenged the order of detention.

2.We have heard the learned counsel for the petitioner and the learned Additional Public Prosecutor.

3.One of the grounds on the basis of which the order of detention has been passed is that there is a possibility of the detenu being enlarged on bail. Such a subjective satisfaction is arrived at by the authority based on an order passed in CrI.M.P.No.26094 of 2024 by the Court of Sessions, Chennai on 19.09.2024. However, as pointed out by the learned counsel for the petitioner, there is a difference in the two orders, in that,



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the accused in that case only one previous case whereas in the present, the accused has two previous cases, thus limiting his chances for bail.

4.Hence, we are of the considered view that the detaining authority is not right in comparing the two cases as the gravity of the situation is far more in the present case. His inference that the detenu will be enlarged on bail is thus not supported by any materials and hence, vitiates the impugned order of detention.

5.In light of the aforesaid discussion, this Habeas Corpus Petition is allowed and the Detention Order passed by the second respondent in No.558/BBCDEFGISSSV/2025 dated 11.08.2025, is set aside.

6.The detenu, viz., Krishnamoorthy, S/o. Ramu, aged 24 years, who is now confined in Central Prison, Puzhal-II, Chennai, 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.]
16.04.2026

vs

Index:Yes/No

Speaking order

Neutral Citation:Yes

Note to Registry: Issue Today.



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To

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- 2.The Commissioner of Police,
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Vepery, Chennai.
- 3.The Superintendent of Police,
Central Prison,
Puzhal-II, Chennai.
- 4.The Inspector of Police,
D-2, Anna Salai Police Station,
Chennai.
- 5.The Joint Secretary,
Law and Order Department,
Secretariat, Chennai
- 6.The Public Prosecutor,
High Court, Madras.



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

vs

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