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H.C.P.No.2177 of 2025

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.01.2026

CORAM

**THE HONOURABLE MR JUSTICE P.VELMURUGAN
AND
THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN**

H.C.P.No.2177 of 2025

Vasudevan
S/o.Durai Kannu,
No.A40, Dr.Ambedkar Street,
Keezh Ayanambakkam, Thiruverkadu,
Chennai.

Petitioner(s)

Vs

1.The Secretary to the Government
Home, Prohibition and Excise Department,
Secretariat, Chennai - 600 009.

2.The Commissioner of Police
Greater Chennai, Chennai District.

3.The Superintendent
Central Prison, Puzhal, Chennai.

4.The Inspector of Police
Vanagaram Police Station, Chennai.

Respondent(s)



H.C.P.No.2177 of 2025

Habeas Corpus Petition filed under Section 226 of the Constitution of India to issue a Writ of Habeas Corpus calling for the records in connection with the order of detention passed by the second respondent dated 24.04.2025 in No.229/BCDFGISSSV/2025 against the petitioner's son Sathish @ Sachin, male, aged 26 years, S/o.Vasudevan, who is confined at the Central Prison, Puzhal, Chennai and set aside the same and consequently direct the respondents to produce the detenu before this Court and set him at liberty.

For Petitioner(s): Mr.A.Saranraj

For Respondent(s): Mr.R.Muniyapparaj
Additional Public Prosecution
assisted by Mr.M.Sylvester John

ORDER

(made by P.VELMURUGAN, J.)

This habeas corpus petition has been filed calling for the records in connection with the order of detention passed by the second respondent dated 24.04.2025 in No.229/BCDFGISSSV/2025 against the petitioner's son Sathish @ Sachin, male, aged 26 years, S/o.Vasudevan, who is confined at the Central Prison, Puzhal, Chennai and set aside the same and consequently direct the respondents to produce the detenu before this Court and set him at liberty.



2. The learned Additional Public Prosecutor would submit that the detenu herein is involved in several cases similar in nature including dacoity and another case under the Protection of Children from Sexual Offences Act, 2012. He would further submit that in the ground case, the detenu has attacked a minor boy and therefore, in order to maintain law and order, the detenu has been detained under Act 14.

3. Though the learned counsel for the petitioner took several grounds to quash the impugned order of detention, he focused mainly on the ground that no bail application was filed by the detenu and there was no likelihood of his release on bail, however, the detaining authority, without application of mind, stated that the relatives of the detenu moved a bail application and therefore, the detenu is likely to be released on bail, whereas no material is filed to show that the relatives of the detenu moved an application for bail.

4. Admittedly, in this case, the detenu has not moved any bail application so far, however, the detaining authority, only based on the statement made by the father of the detenu that he is taking steps to file bail



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application for his son before the Magistrate concerned, which was recorded on 23.04.2024 by the Inspector of Police, Vanagaram Police Station and the same is available at page no.47 of the booklet, has passed the impugned detention order.

5. Therefore, the order of detention dated 24.04.2025, passed by the second respondent herein in proceedings No.229/BCDFGISSSV/2025 against the petitioner's son, viz. Sathish @ Sachin, male, aged 26 years, S/o.Vasudevan, is hereby quashed on the ground of non application of mind on the part of the detaining authority, while passing the impugned detention order.

6. The detenu, viz. Sathish @ Sachin, male, aged 26 years, S/o.Vasudevan, is directed to be set at liberty forthwith, unless he is required in connection with any other case.

With the above direction, this habeas corpus petition is allowed.

(P.V., J.) (M.J.R., J.)
28.01.2026

nsd



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To

- 1.The Secretary to the Government
Home, Prohibition and Excise Department,
Secretariat, Chennai - 600 009.
- 2.The Commissioner of Police
Greater Chennai, Chennai District.
- 3.The Superintendent
Central Prison, Puzhal, Chennai.
- 4.The Inspector of Police
Vanagaram Police Station, Chennai.
- 5.The Joint Secretary to Government,
Public (Law and Order),
Fort St.George, Chennai – 9.
- 6.The Public Prosecutor
Madras High Court, Chennai – 600 104



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P.VELMURUGAN, J.
and
M.JOTHIRAMAN, J.

nsd

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