



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-06-2026

CORAM

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THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

HCP No. 2238 of 2025

Suganthi
W/o.Saravanan,
No.2460/4, Thendral Nagar, Kalaiyarkovil,
Somanathamangalam,
Sivagangai District.

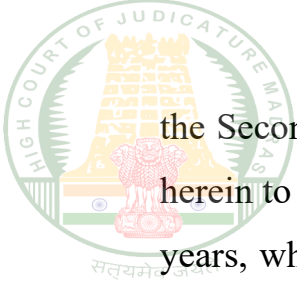
..Petitioner(s)

Vs

1. State of Tamil Nadu,
Represented by its Secretary,
Prohibition and Excise Department,
Fort St.George, Chennai - 600 009.
2. The Commissioner of Police,
Chennai City,
Chennai District.
3. The Superintendent of Prison,
Central Prison Puzhal,
Chennai District.
4. The Inspector of Police, L and O
S-1, St.Thomas Mount Police Station,
Chennai District.

..Respondent(s)

Petition filed under Article 226 of the Constitution of India praying to issue a writ of Habeas Corpus or any other appropriate Writ, or order, or direction, in the nature of the Writ calling for the records of the detention 12.09.2025 in detention order No.BBCDEFGISSSV.No.679/2025 on the file of



the Second Respondent, herein, and quash the same and direct the Respondents herein to produce the detenu Saravanan, S/o.Shanmugam, Hindu aged about 40 years, who is now confined in Central Prison, Puzhal before the Honble Court, and set him at liberty and pass such further or other orders, as this Hon'ble Court.

For Petitioner(s): Mr.N.Gayathri

For Respondent(s): Mr.C.R.Malarvannan,
Counsel For Government Of Tamil Nadu
(Criminal Side)

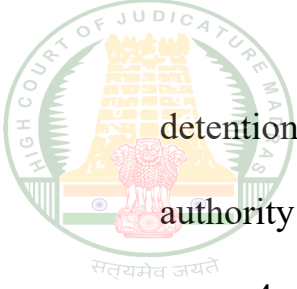
ORDER

(Made by Dr.Anita Sumanth J.)

One Saravanan has been branded as 'Drug Offender' under Section 2(e) of the Tamil Nadu Preventive Detention Act, 1982 (Act 14/1982) and detained in Central Prison, Puzhal, Chennai. His wife has approached this Court challenging the aforesaid detention order.

2. We have heard N.Gayathri, learned counsel for the petitioner and Mr.C.R.Malarvanna, learned counsel for Government of Tamil Nadu (Criminal Side) for the respondents.

3. The petitioner has raised several arguments assailing the impugned order of detention. However, we find merit in the argument that there is absolutely no material on record to sustain the subjective satisfaction of the authorities that the detenu may be released on bail. In the impugned order of



detention, the authorities has referred to the Special Report of the sponsoring authority to sustain his subjective satisfaction.

4. However, a perusal of the report of the sponsoring authority only indicates that the suspicion that the detenu may be enlarged on bail is based on the material obtained secretively and there is no elaboration on what that material is. The booklet does not reveal any statement that has been recorded from the family members or friends to lend support to the subjective satisfaction of detenu being enlarged on bail. In the absence of any material whatsoever, the subjective satisfaction ceases to be any satisfaction at all and is merely ipse dixit which cannot be relied upon by the authorities to detain the authority.

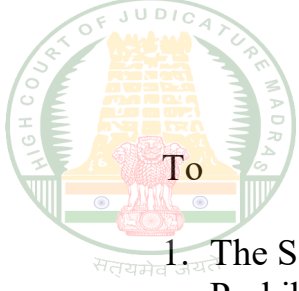
5. In light of the aforesaid discussion, this Habeas Corpus Petition is allowed and the Detention Order passed by the second respondent in BBCDEFGISSSV No.679/2025, dated 12.09.2025 is set aside.

6. The detenu, viz., Saravanan, S/o.Shanmugam, aged 40 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.)
02-06-2026

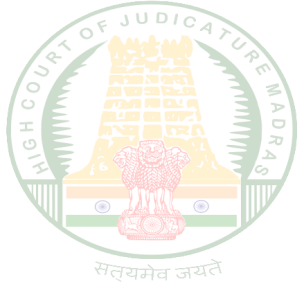
Index: Yes/No
Speaking order
Neutral Citation: Yes

Note to Registry : Issue Today
ssm



To

1. The Secretary,
Prohibition and Excise Department,
Fort St.George, Chennai - 600 009.
2. The Commissioner of Police,
Chennai City,
Chennai District.
3. The Superintendent of Prison,
Central Prison Puzhal,
Chennai District.
4. The Inspector of Police, L and O
S-1, St.Thomas Mount Police Station,
Chennai District.
5. The Joint Secretary,
Law and Order Department, Secretariat, Chennai.
6. The Public Prosecutor, High Court, Madras.



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HCP No. 2238 of 2



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

ssm

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