



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-04-2026

CORAM

THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

HCP No. 2312 of 2025

Lakshmi
W/o.Soundhar,
No.1/182, Kannagi Nagar,
Melpappampadi, Gingee Circle,
Villupuram District-600 039.

..Petitioner(s)

Vs

1. State Of Tamilnadu, Rep.By,
The Additional Chief Secretary To Government,
Home, Prohibition And Excise Department,
Fort St.George,
Chennai-600 009.
2. The Commissioner Of Police
The Grater Chennai City,
Chennai.
3. The Superintendent Of Prison,
Central Prison,
Puzhal,
Chennai-600 066.
4. The Circle Inspector Of Police,
Railway Police Circle Egmore,
Chennai.

..Respondent(s)

**Prayer:**

Habeas Corpus petition filed under article 226 of Constitution of India for issuance of a Writ of Habeas corpus or any other Writ or direction calling for the records relating to the detention order in Memo No.562/BBCDEFGISSSV/2025, dated 18.08.2025 passed by the 2nd respondent under the Tamilnadu Act 14 of 1982 and set aside the same as illegal and direct the respondents to produce the petitioners HUSBAND SOUNDHAR @ BABAJI S/o.Perumal aged about 26 years, the detenue, as Goonda now he is confined in Central Prison, Puzhal, Chennai before this Honble Court and set him at liberty.

For Petitioner(s): Mr. K. Mohan
for M/s.J.Ganapathi

For Respondent(s): Mr. R.Muniyapparaj
Additional Public Prosecutor
Assisted By
Mr. M.Sylvester John

ORDER

(Order of the Court was made by Dr.Anita Sumanth J.)

Soundhar @ Babaji, S/o Perumal, was branded as a Goonda having come to adverse notice in some matters. An order of detention was passed against him on 18.08.2025 and it is challenging the aforesaid that his wife has approached this Court vide the present petition seeking a quash of the detention order.



2. We have heard Mr.K.Mohan for Mr.J.Ganapathi, learned counsel for the petitioner and Mr.R.Muniyapparaj, learned Additional Public Prosecutor for the respondents.

3. The main ground urged by learned counsel for the petitioner is that the satisfaction of the detaining authority to the effect that the detenu will be released on bail is entirely misplaced and reliance on the order passed in CrI.M.P.No.3711 of 2025 is erroneous.

4. We have perused the order passed on 17.07.2025 in CrI.M.P.No.3711 of 2025. In that case, the accused was remanded to judicial custody for alleged offence under Section 304(2) of the BNS. However, there is an array of other offences charged against the detenu in the present case as well, being Sections 304(2), 75 and 79 of the BNS and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002. Hence, the offences are different and the subjective satisfaction of the authority relying upon order dated 17.07.2025 is found to be misconceived, as rightly projected by the learned counsel for the petitioner.

5. In light of the aforesaid discussion, this Habeas Corpus Petition is allowed and the Detention Order passed by the second respondent in No.562/BBCDEFGISSSV/2025, dated 18.08.2025, is set aside.



6. The detenu, viz., Soundar @ Babaji, S/o. Perumal, aged 26 years, now confined in Central Prison, Puzhal, 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.)
21-04-2026

VS

Index: Yes/No

Speaking order

Neutral Citation: Yes

Note to Registry : 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
The Grater Chennai City,
Chennai.
3. The Superintendent Of Prison,
Central Prison,
Puzhal,
Chennai-600 066.
4. The Circle Inspector Of Police,
Railway Police Circle Egmore,
Chennai.
5. The Public Prosecutor,
High Court of Madras.
6. The Joint Secretary to Government,
Public (Law and Order), Fort St.George, Chennai-9.



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DR.ANITA SUMANTH J.

AND

SUNDER MOHAN J.

VS

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