



WEB COPY

HCP No.2371 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18-06-2026

CORAM

THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

HCP No.2371 of 2025

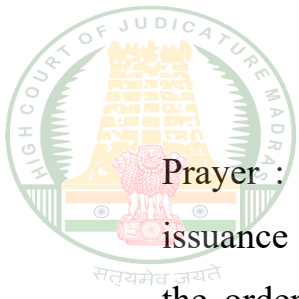
Kaliammal
W/o.Manivannan,
No.7, Vasantham Nagar,
Kalikkuppam,
Ambattur,
Chennai - 600 053.

...Petitioner/Wife of the
detenue

Vs

1. The Additional Chief Secretary to Government,
Home Prohibition and Excise Department,
Fort St. George,
Chennai - 600 009.
2. The Commissioner of Police,
Greater Chennai,
Office of the Commissioner of Police,
(Goondas Section),
Vepery, Chennai-600 007.
3. The Superintendent of Police,
Central Prison,
Puzhal,
Chennai - 600 066.
4. The Inspector of Police,
K-8, Arumbakkam Police Station,
Arumbakkam,
Chennai - 600 106.

...Respondents



Prayer : Petition filed under Article 226 of Constitution of India praying for issuance of Writ of Habeas Corpus, calling for the records in connection with the order of detention passed by the 2nd respondent in Detention Order vide No.744/BBCDEFGISSSV/2025, dated 04.10.2025 against the petitioner's husband namely Thiru. Manivannan @ Manigurusamy, aged about 51 years, S/o.Ponraj, confined at Central Prison, Puzhal, Chennai and set aside the same, consequently direct the respondents to produce the detenue namely Manivannan @ Manigurusamy, aged about 51 years, S/o.Ponraj before this Court and set him at liberty.

For Petitioner: Mr.V.Parthiban
for Mr.P.Krishnan

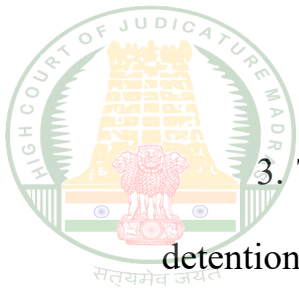
For Respondents: Mr.C.R.Malarvannan
Counsel for Government of Tamil Nadu
(Criminal Side)

ORDER

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

The wife of detenu - Manivannan @ Manigurusamy, aged 51 years, S/o.Ponraj, has filed this petition challenging the detention order dated 04.10.2025, branding him as a 'Goonda' under Section 2(f) of the Tamil Nadu Preventive Detention Act, 1982 (Act 14/1982).

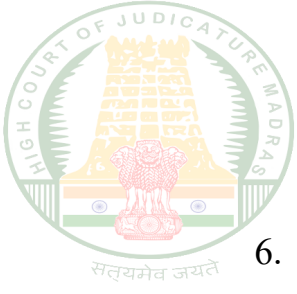
2. We have heard learned counsel for the petitioner and learned counsel for Government of Tamil Nadu (Criminal Side) for the respondents.



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 the detenu had filed the bail applications in CrI.M.P.Nos.12822 of 2025 and 9319 of 2025 before the Court of V Metropolitan Magistrate, Egmore, Chennai – 600 008 and the Principal Sessions Judge, Chennai and the same were dismissed on 19.09.2025 and 26.09.2025 respectively. Further, the detenu has moved a bail application before this Court in CrI.O.P.No.27132 of 2025 and the same is pending; and that in a similar case, bail was granted by this Court in CrI.OP.No.13031 of 2025 on 29.04.2025.

5. The detaining authority ought to have seen whether the facts in the bail order relied upon by him was comparable to the facts of the instant case. In the order relied upon by the detaining authority, the accused therein was granted bail because he had two previous cases and was in bail in those cases, whereas, in this case, the detenu has five adverse cases. Therefore, the reliance placed by the detaining authority on the said order, vitiates his subjective satisfaction as regards the possibility of the detenu coming out on bail. Hence, the detention order is liable to be quashed.



6. In light of the aforesaid discussion, this Habeas Corpus Petition is allowed and the Detention Order passed by the second respondent in No.744/BBCDEFGISSSV/2025, dated 04.10.2025, is set aside.

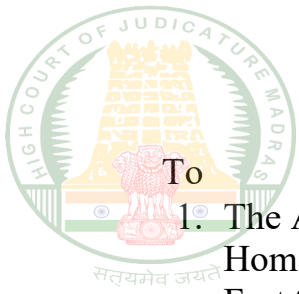
7. The detenu, viz., Manivannan @ Manigurusamy, aged 51 years, S/o.Ponraj, who is now confined in Central Prison, Puzhal, Chennai, is hereby directed to be set at liberty forthwith unless his presence is required in connection with any other case.

(A.S.M.,J.) (S.M.,J.)
18-06-2026

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

Note: Issue Order Copy today

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To

1. The Additional Chief Secretary to Government,
Home, Prohibition and Excise Department,
Fort St. George,
Chennai - 600 009.
2. The Commissioner of Police,
Greater Chennai,
Office of the Commissioner of Police,
(Goondas Section),
Vepery, Chennai - 600 007.
3. The Superintendent of Police,
Central Prison,
Puzhal,
Chennai - 600 066.
4. The Inspector of Police,
K-8, Arumbakkam Police Station,
Arumbakkam,
Chennai - 600 106.
5. The Joint Secretary,
Law and Order Department,
Secretariat, Chennai – 600 009.
6. The Public Prosecutor,
High Court of Madras.



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HCP No.2371 of 2



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

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HCP No. 2371 of 2025

18-06-2026