



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-06-2026

CORAM

THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

HCP No. 2311 of 2025

Meenaloshini
W/o. Sathiyarasu,
No. 145, Anna nagar,
Gurumpatti, Gundalappatti post,
Krishnagiri taluk,
Krishnagiri district.

..Petitioner(s)

Vs

1. The Secretary to Government (Home)
Prohibition and Excise Department,
Government of Tamilnadu,
Fort St. George,
Chennai - 600 009.
2. The District Magistrate and District Collector
Office of the District Collector,
Krishnagiri,
Krishnagiri District- 635 115.
3. The Superintendent of Police
Office of the Superintendent of Police,
Krishnagiri,
Krishnagiri District- 635 002.
4. The Inspector of Police
Krishnagiri Taluk Police Station,
Krishnagiri, Krishnagiri District
Crime No. 397/2025.
5. The Superintendent of Central Prison
Salem, Salem District.

..Respondent(s)



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Petition filed under Article 226 of the Constitution of India praying to issue a writ of habeas corpus to call for the records pursuant to the order in S.C.No .34/2025 dt. 19.10.2025 passed by the 2nd respondent and quash the same, consequently produce the detenu Sathiyarasu S/o.Murugesan, before this Hon'ble Court and set him at liberty and the detenu now confined in Central Prison, Salem, Salem District.

For Petitioner(s): Mr.D.Arun

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

ORDER

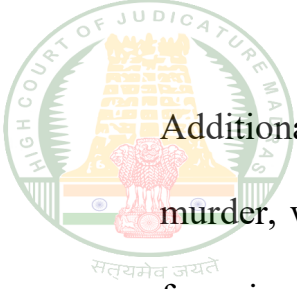
(Made by Dr.Anita Sumanth J.)

The wife of the detenu viz., Sathiyarasu, S/o.Murugesan, male, aged 24 years, who has been branded as Goonda under Section 2(f) of the Tamil Nadu Preventive Detention Act, 1982 (Act), has filed this habeas corpus petition.

2. Several grounds have been raised on behalf of the petitioner and we find that this HCP is to be allowed on the following grounds.

3. The subjective satisfaction of the detaining authority is really no subjective satisfaction at all. Admittedly no bail application has been filed, despite which, the detaining authority states that there is a real possibility of the detenu coming out on bail, for which there is no basis at all.

4. That apart, the detaining authority relies upon an order passed in CrI.M.P.No.775 of 2021 dated 07.04.2021 passed by the Judicial Magistrate and



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Additional Mahalir Magistrate, Salem, where the accused was charged for murder, whereas the detenu in the present case has been charged with murder for gain on two counts. 5. Since the circumstances in the present matter are far graver, we find that the subjective satisfaction of the authority that the detenu may be enlarged on bail is misplaced, as the gravity of the offences in the present case would, no doubt, weigh with the authorities as and when the bail application filed by the detenu would be considered.

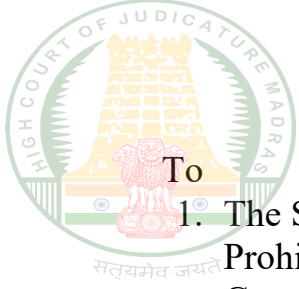
6. Hence, we find merit in the submission of the petitioner that the subjective satisfaction of the authority that bail would be granted, is nothing but ipse dixit. Incidentally, the co-accused had approached this Court in HCP No. 2390 of 2025 that has been allowed on 25.06.2026.

7. In light of the above, this Habeas Corpus Petition is allowed and the Detention Order passed by the second respondent in S.C.No.34/2025, dated 19.10.2025 is set aside.

8. The detenu, viz., Sathiyarasu, S/o. Murugesan, aged 24 years, now confined in Central Prison, Salem, is directed to be set at liberty forthwith, unless his presence is required in connection with any other case.

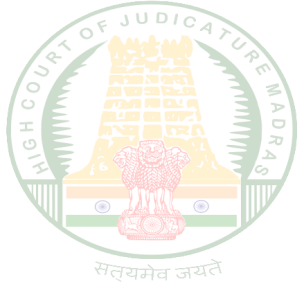
(A.S.M.,J.) (S.M.,J.)
30-06-2026

Index: Yes/No
Speaking order
Neutral Citation: Yes
SSM
Note to Registry : Issue Today



To

1. The Secretary to Government (Home)
Prohibition and Excise Department,
Government of Tamilnadu,
Fort St. George, Chennai - 600 009.
2. The District Magistrate and District Collector
Office of the District Collector,
Krishnagiri, Krishnagiri District- 635 115.
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Krishnagiri,
Krishnagiri District
Crime No. 397/2025.
5. The Superintendent of Central Prison
Salem, Salem District.
6. The Joint Secretary to Government
Public (Law and Order),
Fort St.George, Chennai – 9.
7. The Public Prosecutor,
High Court, Madras.



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DR.ANITA SUMANTH J.
AND
SUNDER MOHAN J.

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