



HCP No. 2308 of 2025

WEB COPY

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. 2308 of 2025

A.Radhika

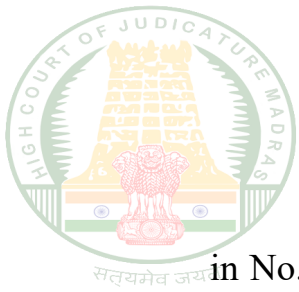
..Petitioner(s)

Vs

1. The Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat,
Fort St.George,
Chennai - 600 009.
2. The Commissioner of Police,
Greater Chennai,
Office of the Commissioner of Police,
Vepery, Chennai.
3. The Superintendent of Police,
Central Prison, Puzhal,
Chennai.
4. The Inspector of Police,
F-1, Chindatripet Police Station,
Chennai.

..Respondent(s)

Prayer: Petition filed under Article 226 of the Constitution of India, seeking for a Writ of Habeas Corpus, calling for the records pertaining to the order of detention passed by the second respondent in his proceedings



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in No.821/BBCDEFGISSSV/2025, dated 22.10.2025 and quash the same as illegal and produce the detenu, namely IMAN @ ARAVIND S/o.Anandaraj, aged 29 years as DRUG OFFENDER, now he is confined in Central Prison, Puzhal II, Chennai before this Court and set him at liberty.

For Petitioner(s):	Mr.C.Vignesh
For Respondent(s):	Mr. C.R.Malarvannan, Counsel for Government of Tamil Nadu (Criminal Side)

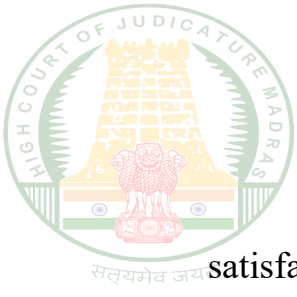
ORDER

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

The mother of detenu - Iman @ Aravind, aged 29 years S/o.Anandraj, has filed this petition challenging the detention order dated 22.10.2025, branding him as a 'Drug Offender' under Section 2(e) of the Tamil Nadu Preventive Detention Act, 1982 (Act 14/1982).

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



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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 has not filed any bail application and that his relatives are taking steps to take him out on bail; and that in a similar case, bail was granted by the Principal Special Judge, Principal Special Court under Essential Commodities & Narcotic Drugs and Psychotropic Substances Act, Chennai, to an other accused, in Crl.M.P.No.1414 of 2021 on 04.06.2021.

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 no previous case, whereas, in this case, the detenu has two 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.



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6. In light of the aforesaid discussion, this Habeas Corpus Petition is allowed and the Detention Order passed by the second respondent in No.821/BBCDEFGISSSV/2025 dated 22.10.2025, is set aside.

7. The detenu, viz., Iman @ Aravind, aged 29 years S/o.Anandraj, 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.)
30-06-2026

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

TSG

Note: Issue order copy today.

To

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



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2. The Commissioner of Police,
Greater Chennai,
Office of the Commissioner of Police,
Vepery, Chennai.
3. The Superintendent of Police,
Central Prison, Puzhal,
Chennai.
4. The Inspector of Police,
F-1, Chindatripet Police Station,
Chennai.
5. The Joint Secretary,
Law and Order Department,
Secretariat,
Chennai – 600 009.
6. The Public Prosecutor,
High Court of Madras.



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

TSG

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