



WEB COPY



HCP No. 2375 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-06-2026

CORAM

THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

HCP No. 2375 of 2025

Meenakshi
S/o.Sekar,
No.36, Pallavan Salai,
Anna Road, Chennai - 600 002.

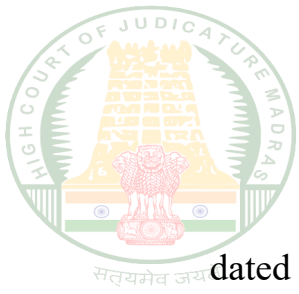
..Petitioner(s)

Vs

1. The Addl. Chief Secretary to the Government,
Home, Prohibition and Excise (XVI)
Department,
Secretariat, Chennai - 600 009.
2. The Commissioner of Police,
Greater Chennai.
3. The Superintendent of Prison,
Central Prison, Puzhal,
Chennai District.
4. The Inspector of Police,
Law and Order,
F-1, Chindaripet Police Station,
Chennai District.

..Respondent(s)

Prayer : Petition filed under Article 226 of Constitution of India praying for issuance of Writ of Habeas Corpus, calling for the entire records connected with the detention Memo.No.706/BBCDEFGISSSV/2025



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dated 18.09.2025 on the file of the Respondent No.2 and Quash the same and direct the Respondent to produce the Petitioner's son one named Dinesh alias Pullimootai, S/o. Sekar, aged about 27 years now confined at Central Prison, Puzhal before this Court and set him at liberty.

For Petitioner(s): Mr.P.Muthamizhselvakumar

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 the detenu – Dinesh alias Pulimootai Dinesh, S/o. Sekar, aged about 27 years, has filed this petition challenging the detention order dated 18.09.2025, 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. It is seen from the grounds of detention that the detaining



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authority has relied upon an order passed in Crl.MP.No.5272 of 2023 by the learned Principal Special Judge for EC and NDPS Act Cases, Chennai-104 to arrive at a conclusion that in similar cases bail has been granted by the Courts and that therefore, the detenu is likely to be released on bail by filing the bail application.

4. In the order relied upon by the detaining authority, it is seen that the Special Court had granted bail under Section 167(2) Cr.P.C., since the final report was not filed within the statutory period and not on merits. Hence, reliance placed on the said order is misconceived which vitiates the satisfaction of the detaining authority.

5. Further, in paragraph no.4 of the grounds of detention, the detaining authority had stated that the detenu, who was in remand, had not filed any bail application and had relied upon the unsigned statement of the relative of the detenu, who is said to have stated that he is taking steps to file a bail application on behalf of the detenu. We have in HCP No. 1684 of 2025, held that, the unsigned statement cannot be relied upon to infer that the detenu is likely to file bail application.



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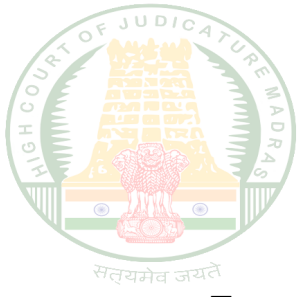
6. Therefore, the reliance placed by the detaining authority on the said statement of the relative and the order of the Special Court to arrive at the satisfaction that there is a real possibility of the detenu coming out on bail, is misconceived. The inference that the detenu would indulge in further criminal activities after his release also is without any basis. Hence, the detention order is liable to be quashed.

7. In light of the aforesaid discussion, this Habeas Corpus Petition is allowed and the Detention Order passed by the second respondent in Memo.No.706/BBCDEFGISSSV/2025 dated 18.09.2025 is set aside.

8. The detenu, viz., Dinesh alias Pulimootai Dinesh, S/o. Sekar, aged about 27 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.)
03-06-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
Issue order copy today.
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To

1. The Addl. Chief Secretary to the Government,
Home, Prohibition and Excise (XVI) Department,
Secretariat, Chennai - 600 009.
2. The Commissioner of Police,
Greater Chennai.
3. The Superintendent of Prison,
Central Prison, Puzhal
Chennai District.
4. The Inspector of Police,
Law and Order,
F-1, Chindaripet 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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**DR.ANITA SUMANTH, J.
AND
SUNDER MOHAN, J.**

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