



HCP No.2420 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-06-2026

CORAM

THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

HCP No. 2420 of 2025

L.Santhiya
W/o. Lakshmikanthan,
No.40/54, Anna Nagar,
Burma Nagar,
Ponneri,
Thiruvallur District.

...Petitioner/Wife of the
Detenu

Vs

1. The State of Tamil Nadu
Represented by the Secretary to the
Government,
Prohibition and Excise Department,
Fort St.George,
Chennai – 600 009.
2. The Commissioner of Police,
Greater Avadi City,
Chennai – 600 054.
3. The Superintendent of Prison
Central Prison Puzhal,
Chennai.



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4. The Inspector of Police (Law and Order)
E-1, Ponneri Police Station,
Thiruvallur District.

..Respondent(s)

Prayer : Petition filed under Article 226 of Constitution of India praying for issuance of Writ of Habeas Corpus, calling for the records pertaining to the Memo No.142/TNPD/APC/2025 dated 30.09.2025 on the file of the 2nd respondent herein and set aside the same and direct the respondents herein to produce the petitioner's Husband Lakshmikanthan son of Manoharan aged 31 years, now confined in the Central Prison, Puzhal, before the Court and set him at liberty.

For Petitioner: Mr.C.K.M.Appaji

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 wife of detenu - Lakshmikanthan, aged 31 years, S/o.Manoharan, has filed this petition challenging the detention order dated 30.09.2025, branding him as a 'Goonda' under Section 2(f) of the Tamil Nadu Preventive Detention Act, 1982 (Act 14/1982).



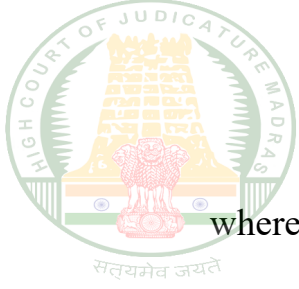
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2. We have heard learned counsel for petitioner and learned counsel for Government of Tamil Nadu (Criminal Side) for respondents.

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 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 application in CrI.M.P.No.4042 of 2025 before the Principal District and Sessions Judge, Thiruvallur, and the same is pending; and that in a similar case, bail was granted by this Court in CrI.OP.No.27950 of 2024 on 08.11.2024.

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 one previous case,



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whereas, in this case, the detenu has three 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.142/TNPD/APC/2025 dated 30.09.2025, is set aside.

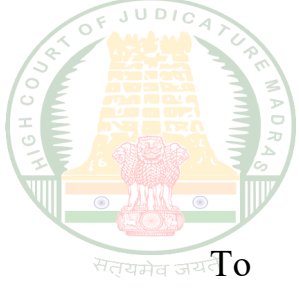
7. The detenu, viz., Lakshmikanthan, aged 31 years, S/o.Manoharan, who is now confined in Central Prison, Puzhal, Chennai, is hereby directed to be set at liberty forthwith unless his presence is required in connection with any other case.

(A.S.M.,J.) (S.M.,J.)
05-06-2026

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

Note: Issue Order Copy today

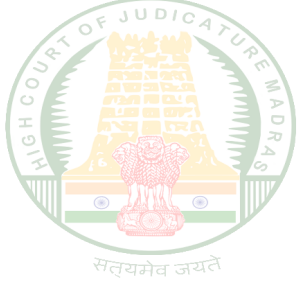
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Central Prison Puzhal,
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4. The Inspector Of Police (Law and Order)
E-1, Ponneri Police Station,
Thiruvallur District.
5. The Joint Secretary,
Law and Order Department, Secretariat, Chennai.
6. The Public Prosecutor,
High Court, Madras.



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

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