



WEB COPY

HCP No.2581 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-04-2026

CORAM

THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

HCP No.2581 of 2025

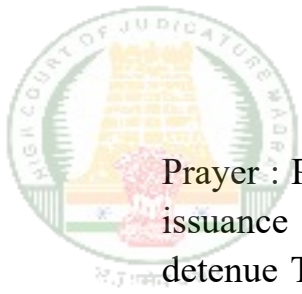
Manonmani
W/o.Kuppusami,
No.43, Ram Nagar 8th Street,
Triplicane,
Chennai - 600 005.

...Petitioner/Mother of
the detenu

Vs

1. The state rep.by,
The Secretary to Government of Tamil Nadu,
Home, Prohibition and Excise,
Secretariat,
Chennai - 600 009.
2. The Commissioner of Police,
Greater Chennai,
Vepery,
Chennai - 600 007.
3. The Superintendent of Prison,
Central Prison,
Puzhal,
Chennai.
4. The Inspector of Police,
D-3 Ice House Police Station,
Ice House,
Chennai - 600 005.

...Respondents



Prayer : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Habeas Corpus, directing the respondents to produce the detenu Thiru.Sathya @ Bombay Raj male, aged 33 years son of Kuppusamy, residing at Mosque street, Seenivasapuram, Chennai-600 028, now confined at Central Prison, Puzhal, Chennai as per the order of the preventive detention passed by the second respondent under Act 14 of 1982 before this Court, and call for the records pertaining to the detention order of the second respondent in Memo No.547/BBCDEFGISSSV/2025 dated 08.08.2025 and quash the same and set the detenu at liberty.

For Petitioner : Mr.S.Varatharajan

For Respondents: Mr.R.Muniyapparaj
Additional Public Prosecutor

Assisted by
Mr.M.Sylvester John

ORDER

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

The mother of the detenu - Sathya @ Bombay Raj, S/o. Kuppusamy, aged 33 years, has filed this petition challenging the detention order dated 08.08.2025, branding him as 'Goonda' under Section 2(f) of the Tamil Nadu Preventive Detention Act, 1982 (Act 14/1982).

2.The learned counsel for the petitioner would submit that the impugned order of detention is liable to be quashed on the sole ground that the detaining authority's satisfaction as regards the real possibility of the detenu coming out



on bail, suffers from non-application of mind, as the facts in the order relied upon by him are not similar to the instant case.

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3. The learned Additional Public Prosecutor would fairly concede that the facts are not similar.

4. It is seen from paragraph No.4 of the grounds of detention that the detenu has not moved any bail application. However, the detaining authority had relied upon an order passed by the learned Principal Sessions Judge, Chennai, in Crl.MP.No.26094 of 2024 to observe that the detenu is likely to be released on bail. It is seen from that order that the accused therein had only one previous case, whereas, there are two adverse cases pending against the detenu. The facts are not similar. Therefore, we are of the view that the reliance placed upon the said order by the detaining authority, to conclude that there is a real possibility of the detenu coming out on bail and that he would indulge in similar activities, suffers from non-application of mind. Hence, the detention order is liable to be quashed.

5. In light of the aforesaid discussion, this Habeas Corpus Petition is allowed and the Detention Order passed by the second respondent in 547/BBCDEFGISSV/2025 dated 08.08.2025 is quashed.



6. The detenu, viz., Sathya @ Bombay Raj, S/o. Kuppusamy, aged 33 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.)
27-04-2026
(1/2)

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

Note: Issue order copy today.
dk

To

1. The Secretary to Government of Tamilnadu,
Home, Prohibition and Excise Secretariat,
Chennai-600 009.
2. The Commissioner of Police,
Greater Chennai,
Vepery,
Chennai-600 007.
3. The Superintendent of Prison
Central Prison,
Puzhal,
Chennai.
4. The Inspector of Police,
D-3 Ice House Police Station,
Ice House,
Chennai-600 005.
5. The Public Prosecutor
High Court of Madras.



WEB COPY

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

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