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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-06-2026

CORAM

THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

HCP No. 2521 of 2025

Sasi Kala
W/o.Late.Sankar,
No.8/15, East Namachivaya puram,
Choolaimedu,
Chennai-600 094.
Currently residing at
No.86, Gandhi Road,
Choolaimedu, Chennai-600 094.

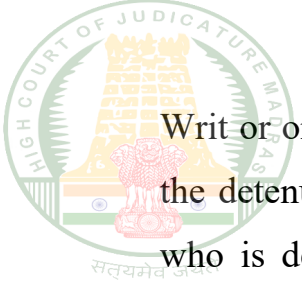
..Petitioner(s)

Vs

1. The Principal Secretary to Government,
The State of Tamil Nadu,
Home, Prohibition and Excise Department,
Fort St.George, Chennai-600 009.
2. The Commissioner of Police,
Greater Chennai,
Office of the Commissioner of Police,
Vepery Chennai-600 007.
3. The Superintendent of Prison,
Central Prison Puzhal II,
Chennai-600066.
4. The Inspector of Police,
F-5, Choolaimedu Police Station,
Chennai-60 0094.

..Respondent(s)

Prayer: Habeas Corpus Petition filed under Article 226 of the Constitution of India praying to issue a WRIT OF HABEAS CORPUS or any other appropriate



Writ or order or direction in the nature of Writ calling for records pertaining to the detenu Mr.Dinesh @ Dinesh Kumar S.(M/28 yrs) son of Late.Mr.Sankar, who is detained under Tamil Nadu Act 14 of 1982 as GOONDA at Puzhal Central Prison-II, Chennai with 2nd respondent herein, vide his order through memorandum No.657/BBCDFGISSSV/2025 dated 09.09.2025 on the file of the 4th respondent herein and to quash the same and direct the 2nd respondent herein to produce the detenu Mr.Dinesh @ Dinesh Kumar S, aged about 28 years and set him at liberty.

For Petitioner(s): Ms.M.Sheela

For Respondent(s): Mr. C.R. Malarvannan

Counsel For Government Of Tamil Nadu
(Criminal Side)

Order

(Order of the Court was made by Dr.Anita Sumanth J.)

The detenu – Dinesh @ Dineshkumar, S/o Sankar was detained as Goonda under Section 2(f) of the Tamil Nadu Act 14 of 1982 (in short ‘Act’) and the mother of the detenu has approached this Court challenging the order of detention dated 09.09.2025.

2. Learned counsel for the petitioner assails the impugned order of detention pointing out to various lacunae in the order, emphasizing that the subjective satisfaction of the detaining authority that the detenu will be enlarged on bail is wholly misconceived.

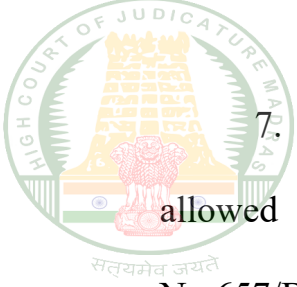


3. We have heard Ms.M.Sheela, learned counsel for the petitioner and Mr.C.R.Malarvannan, learned counsel for Government of Tamil Nadu (criminal Side), learned counsel for the respondents.

4. The subjective satisfaction of the detaining authority is vitiated for the reason that reliance upon an order passed in Crl.M.P.No.20525 of 2024 dated 29.07.2024 by the Principal Sessions Judge, Chennai is misplaced. The inference that the detenu is likely to be come out on bail is based on a comparison of the detenu with the accused in Crl.M.P.No.20525 of 2024. However, that accused had 7 previous cases, whereas the detenu has 12 previous cases.

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. In the above circumstances, we find merit in the statement of the petitioner that the subjective satisfaction of the authority that bail would be granted, is mere ipse dixit.



7. In light of the aforesaid discussion, this Habeas Corpus Petition is allowed and the Detention Order passed by the second respondent in No.657/BBCDEFGISSSV/2025 dated 09.09.2025 is set aside.

8. The detenu, viz., Dinesh @ Dineshkumar, S/o. Sankar, aged 28 years, now confined in Central Prison, Puzhal, Chennai, 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.)

23-06-2026

sl

Index: Yes/No

Speaking order

Neutral Citation: Yes

Note to Registry: Issue Today.

To

1. The Principal Secretary to Government,
The State of Tamil Nadu,
Home, Prohibition and Excise Department,
Fort St.George, Chennai-600 009.
2. The Commissioner of Police,
Greater Chennai,
Office of the Commissioner of Police,
Vepery Chennai-600 007.
3. The Superintendent of Prison,
Central Prison Puzhal II,
Chennai-600066.
4. The Inspector of Police,
F-5, Choolaimedu Police Station,
Chennai-60 0094.



5. The Public Prosecutor, High Court, Madras.

6. The Joint Secretary to Government

Public (Law and Order),

Secretariat, Fort St.George, Chennai – 9.

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DR.ANITA SUMANTH J.

AND

SUNDER MOHAN J.

SL

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