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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.03.2026

CORAM

THE HON'BLE MR JUSTICE N.ANAND VENKATESH

AND

THE HON'BLE MR JUSTICE K.K.RAMAKRISHNAN

H.C.P.(MD)No.33 of 2026

Srinivasan

.. Petitioner/Detenu

Vs.

1.The State of Tamil Nadu,
Rep by the Additional Chief Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat, Chennai - 9.

2.The District Collector and District Magistrate,
O/o.The District Collector and District Magistrate,
Tiruchirappalli District.

3.The Superintendent of Prison,
Tiruchirappalli Central Prison,
Tiruchirappalli.

.....Respondents

Prayer :Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus, to call for the entire records connected with the detention order of the Respondent No.2 in Cr.M.P.No.87/2025, dated 22.10.2025 and quash the same and direct the respondents to produce the body or person of the detenu by name Srinivasan, S/o.Sekar, aged about 43



years, now detained as "Cyber Law Offender" at Trichy Central Prison before this Court and set him at liberty forthwith.

For Petitioner : Mr.R.Alagumani

For Respondents : Mr.A.Thiruvadikumar
Additional Public Prosecutor

ORDER

(Order of the Court was made by N. ANAND VENKATESH,J.)

The petitioner is the detenu, viz., Srinivasan, S/o.Sekar, aged about 43 years. The detenu has been detained by the second respondent by his order in Cr.M.P.No.87/2025, dated 22.10.2025, holding him to be a “Cyber Law Offender” as contemplated under Section 2(bb) of the Tamil Nadu Act 14 of 1982. The said order is under challenge in this Habeas Corpus Petition.

2. We have heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents. We have also perused the records produced by the Detaining Authority.



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3. Though several grounds have been raised in the Habeas Corpus Petition, one of the grounds urged by the learned counsel for the petitioner is that the Detaining Authority had taken into consideration the fact that the detenu had filed a bail petition and the same was dismissed. In spite of the same, the Detaining Authority relied upon the order passed in Crl.M.P. No. 34034 of 2022, dated 13.12.2022 and came to the conclusion that, in a similar case, bail had been granted and therefore there was a likelihood of the detenu coming out on bail. The learned counsel submitted that the order relied upon by the Detaining Authority is not a similar case and therefore, the detention order suffers from non-application of mind.

4. We have carefully gone through the order passed in Crl.M.P. No. 34034 of 2022, dated 13.12.2022. It is seen that statutory bail was granted by the concerned Court on the ground that the final report was not filed within the prescribed period of 60 days. Therefore, it is clear that the bail order was not passed on merits and that only statutory bail was granted. Hence, the order passed in Crl.M.P. No.34034 of 2022, dated 13.12.2022 is not a similar case. Hence, the detention order passed by the second respondent, dated 22.10.2025, suffers from non-application of mind.



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5. In the result, the Habeas Corpus Petition is allowed and the order of detention in Cr.M.P. No.87/2025, dated 22.10.2025, passed by the second respondent is set aside. The detenu, viz., Srinivasan, S/o.Sekar, aged about 43 years, is directed to be released forthwith, unless his detention is required in connection with any other case.

(N.A.V.,J..) (K.K.R.K.,J.)
27.03.2026

Index : Yes / No

Internet : Yes / No

Indu



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To

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O/o. The District Collector and District Magistrate,
Tiruchirappalli District.
3. The Superintendent of Prison,
Tiruchirappalli Central Prison,
Tiruchirappalli.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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**N. ANAND VENKATESH,J.
AND
K.K.RAMAKRISHNAN,J.**

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