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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.04.2026

CORAM

THE HON'BLE MR JUSTICE N.ANAND VENKATESH

AND

THE HON'BLE MR JUSTICE K.K.RAMAKRISHNAN

H.C.P.(MD)No.125 of 2026

Abirami

.. Petitioner/ Mother of the Detenu

Vs.

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

2.The Commissioner of Police,
Madurai City.

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

.....Respondents

Prayer :Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus, to call for the records pertaining to the impugned detention order passed by the 2nd respondent made in her proceedings in Detention order No.69/BBCDEFGISSSV/2025 dated 20.11.2025 by detain the detenu under Section 2(f) of the TamilNadu Act 14/1982 as a Goonda



and quash the same and direct the respondent to produce the detenue namely Ananthapadmanabhan, S/o.Late Sambath Kumar, aged about 25 years, who is detained in Central Prison, Madurai, before this Court and set him at liberty.

For Petitioner : Mr.S.Poornachandran

For Respondents : Mr.A.Thiruvadikumar
Additional Public Prosecutor

ORDER

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

The petitioner is the mother of the detenu, viz., Ananthapadmanabhan, S/o.Late Sambath Kumar, aged about 25 years. The detenu has been detained by the second respondent by his order in Detention order No.69/BBCDEFGISSSV/2025 dated 20.11.2025, holding him to be a “Goonda” as contemplated under Section 2(f) 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. Apart from the other grounds raised by the learned counsel for the petitioner, one of the main grounds that was raised is that the Detaining Authority was aware of the fact that the bail petition filed by the detenu was already dismissed and in spite of the same, the Detaining Authority took into consideration the order passed in CrI.M.P.No.5202 of 2025, dated 12.11.2025 and came to the conclusion that bail has been granted in a similar case and therefore, there is a likelihood of the detenu coming out on bail. The learned counsel for the petitioner 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 CrI.M.P.No. 5202 of 2025, dated 12.11.2025. In that case, the bail petition was considered along with another bail petition in CrI.M.P.No.5167 of 2025 and the learned Judge, while granting bail, had taken into consideration the specific overt act against the concerned accused person and had taken note of the fact that there are no previous cases against the accused therein. In the case in hand, there were two adverse cases against the detenu and therefore, the order that was relied upon by the Detaining Authority cannot be



considered to be a similar case. Consequently, the detention order suffers from non-application of mind.

5. In the result, the Habeas Corpus Petition is allowed and the order of detention in No.69/BBCDEFGISSSV/2025 dated 20.11.2025, passed by the second respondent is set aside. The detenu, viz., Ananthapadmanabhan, S/o.Late Sambath Kumar, aged about 25 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.)
22.04.2026

Index : Yes / No
Internet : Yes / No

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To

1. The Principal Secretary to the Government,
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2. The Commissioner of Police,
Madurai City.
3. The Superintendent of Prison,
Central Prison,
Madurai.
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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