



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 08.06.2026

CORAM

THE HON'BLE MR JUSTICE N.ANAND VENKATESH

AND

THE HON'BLE MRS JUSTICE S.SRIMATHY

H.C.P.(MD) No.236 of 2026

Megala

.. Petitioner / Wife of the detenu

Vs.

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

2.The Commissioner of Police,
Tiruchirappalli City.

3.The Superintendent of Prison,
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 records pertaining to the impugned detention order passed by the 2nd respondent made in his proceedings in C.No.92/Detention/C.P.O/T.C/2025, dated 09.12.2025 in detaining the



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detenu under section 2(f) of the Tamilnadu Act 14 of 1982 as a Goonda and quash the same and direct the respondents to produce the detenue namely Siva, S/o.Madhaiyan, Male, aged about 23 years, who is detained at Central Prison, Tiruchirappalli, before this Court and set him at liberty.

For Petitioner : Mr.K.M.Karunakaran

For Respondents : Mr.G.Karuppasamy Pandiyan
Counsel for State of TN (Crl.Side)

ORDER

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

The petitioner is the wife of the detenu, by name, Siva, S/o.Madhaiyan, Male, aged about 23 years. The detenu has been detained by the second respondent by his order in C.No.92/Detention/C.P.O/T.C/2025, dated 09.12.2025, 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 Counsel for State of TN (Crl.Side) 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 that were raised by the learned counsel for the petitioner, one of the main ground that was raised is that the Detaining Authority was aware of the fact that the detainee had not filed any bail petition in the ground case and inspite of the same, the Detaining Authority took into consideration the order passed in Cr.M.P.No.76 of 2025 and came to the conclusion that in a similar case bail has been granted and therefore, there is likelihood of the detainee coming out on bail. The learned counsel submitted that the order that was relied upon does not arise out of the similar case and therefore, the detention order suffers from non-application of mind.

4. We have carefully gone through the order passed in Cr.M.P.No.76 of 2025. That was a case, where there is solitary offence and the investigation was almost over and the same was taken into consideration by the concerned Court and bail was granted. In the case in hand, there are two adverse cases against the detainee apart from the ground case and the investigation was pending. Therefore, the order that was relied upon by the Detaining Authority certainly does not arise out of a similar case and consequently, the detention order suffers from non application of mind.



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6. In the result, the Habeas Corpus Petition is allowed and the order of detention in C.No.92/Detention/C.P.O/T.C/2025, dated 09.12.2025 passed by the second respondent is set aside. The detenu, viz., Siva, S/o.Madhaiyan, Male, aged about 23 years, is directed to be released forthwith unless his detention is required in connection with any other case.

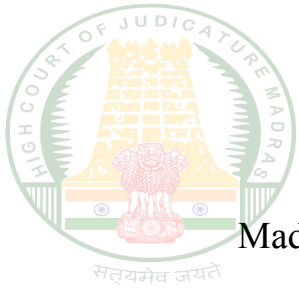
(N.A.V.,J..) (S.S.Y.,J.,)
08.06.2026

Index : Yes / No
Internet : Yes / No

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To

- 1.The Principal Secretary to the Government,
Home, Prohibition and Excise Department,
Secretariat, Chennai - 9.
- 2.The Commissioner of Police,
Tiruchirappalli City.
- 3.The Superintendent of Prison,
Central Prison,
Tiruchirappalli.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,



Madurai.

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**N.ANAND VENKATESH,J.
AND
S.SRIMATHY,J.**

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