



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 15.06.2026

CORAM

THE HON'BLE MR JUSTICE N. ANAND VENKATESH

AND

THE HON'BLE MR JUSTICE K.K.RAMAKRISHNAN

H.C.P.(MD)No.264 of 2026

Malathy

.. Petitioner / Wife of the detenu

Vs.

1.The State of Tamilnadu,
Represented by the Additional Chief
Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat, Chennai 600 009.

2.The State of Tamilnadu,
Represented by the District Collector and
District Magistrate,
Ramanathapuram District.

3.The State of Tamilnadu,
Represented by the Superintendent of Prison,
Madurai Central Prison,
Madurai City.

.. Respondents

Prayer :Petition filed under Article 226 of the Constitution of India to issue
a writ of Habeas Corpus, calling for the records of the 2nd respondent in



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detention order in SR.No.50/Goonda/2025 dated 22.12.2025 and quash the same as illegal and consequently, directing the respondents to produce the person or body of the detenu namely Sathish @ Sathish Kumar, S/o.Ramanathan, 30 years, who is now detained at Central Prison, Madurai and set him at liberty.

For Petitioner : Mr.J.Vijayaraja

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, Sathish @ Sathish Kumar, S/o.Ramanathan, 30 years. The detenu has been detained by the second respondent by his order in SR.No.50/Goonda/2025 dated 22.12.2025 holding him to be a "Goonda", as contemplated under Section 2(f) of the Tamil Nadu Prevention Detention Act, 1982 (Tamil Nadu Act 14 of 1982). The said order is under challenge in this Habeas Corpus Petition.

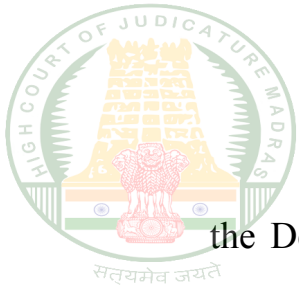
2. We have heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents. We have also perused the records produced by the Detaining Authority.



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3. Apart from the other grounds 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 bail petition filed by the detainee was pending before the High Court and inspite of the same, the Detaining Authority took into consideration the order passed in Crl.M.P.No. 3980 of 2024, dated 03.10.2024 and came to the conclusion that bail had been granted in a similar case and hence, there was likelihood of the detainee coming out on bail. The learned counsel submitted that the order that was relied upon did not arise out of a similar case. Therefore, there is non-application of mind.

4. We have carefully gone through the order passed in Crl.M.P.No. 3980 of 2024, in which two accused persons were involved and one of the accused person did not have any previous cases, while another accused person had one previous case. The Court took into consideration the fact that yet another accused person had already been granted anticipatory bail. The Court also took into consideration the incarceration suffered by the accused persons therein and the fact that the injured person had already been discharged from the hospital. Hence, the order that was relied upon by



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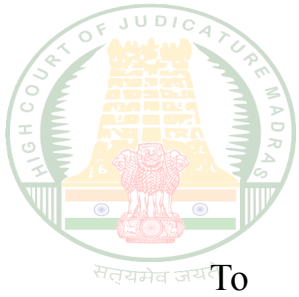
the Detaining Authority certainly does not arise out of a similar case and consequently, the detention order suffers from non-application of mind.

5. In the result, the Habeas Corpus Petition is allowed and the order of detention in SR.No.50/Goonda/2025 dated 22.12.2025 passed by the second respondent is set aside. The detenu, viz., Sathish @ Sathish Kumar, S/o.Ramanathan, 30 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.)
15.06.2026

Index : Yes / No
Internet : Yes / No

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- To
1. The Additional Chief Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat, Chennai 600 009.
 2. The District Collector and District Magistrate,
Ramanathapuram District.
 3. The Superintendent of Prison,
Madurai Central Prison,
Madurai City.
 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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