



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.499 of 2026

A.Pappathi

.. 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 - 9.

2.The Commissioner of Police,
Tirunelveli City.

3.The Superintendent of Prison,
Central Prison,
Palayamkottai,
Tirunelveli District.

.. 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 passed in No.87/BBCDEFGISSSV/2025 dated 22-12-2025 on the file of the 2nd respondent herein and quash the same and direct the



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respondents to produce the detenu or body of the detenu namely the petitioner's husband I.e.Anbazhagan, aged about 51 years, S/o.Appadurai, now detained at the Central Prison, Palayamkottai, before this Court and set him at liberty forthwith.

For Petitioner : Mr.N.Pragalathan

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, Anbazhagan, aged about 51 years, S/o.Appadurai. The detenu has been detained by the second respondent by his order in No.87/BBCDEFGISSSV/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 raised is that the Detaining Authority was aware of the fact that the bail petition filed by the detainee in the ground case was pending. However, the Detaining Authority had taken into consideration the order passed in CrI.M.P.No.1538 of 2024 and came to the conclusion that the bail had been granted in a similar case and therefore, there was likelihood of the detainee coming out on bail. The learned counsel for the petitioner submitted that the order that was relied upon did not arise out of a similar case and hence, there was non-application of mind.

4. We have carefully gone through the order passed in Cr.M.P.No. 1538 of 2024, dated 29.07.2027. That was a case arising out of offences under Sections 392, 506(ii), and 34 of the IPC and the Court had taken into consideration the fact that the investigation was completed and the case had been taken on file by the committal Court. In the case in hand, the ground case is for the offence under Section 309(4) of the BNS, which is equivalent to Section 392 of the IPC. However, the investigation was pending in this case, whereas, in the order that was relied upon, the Court had taken into



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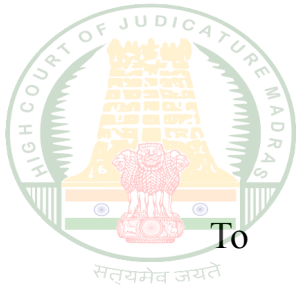
consideration the completion of the investigation and the filing of the final report. Hence, the order that was relied upon by the Detaining Authority does not arise out of a similar case.

5. In the result, the Habeas Corpus Petition is allowed and the order of detention in No.87/BBCDEFGISSSV/2025 dated 22-12-2025 passed by the second respondent is set aside. The detenu, viz., Anbazhagan, aged about 51 years, S/o.Appadurai, 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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4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
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**N. ANAND VENKATESH,J.
AND
K.K.RAMAKRISHNAN,J.**

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