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H.C.P.No.1782 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.04.2026

CORAM :

THE HONOURABLE DR.JUSTICE ANITA SUMANTH
and
THE HONOURABLE MR.JUSTICE SUNDER MOHAN

H.C.P.No.1782 of 2025

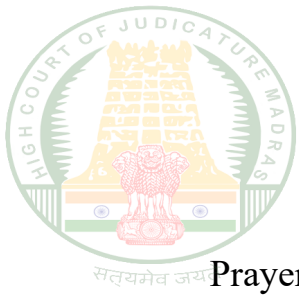
Divya, F/A 26 yrs,
W/o. Yogeswaran,
Now residing at:
No.1/2326, MGR Street,
Sivanthi Aathithan Nagar,
Attanthangal, Redhills,
Tamil Nadu – 600 067.

.. Petitioner

VS

- 1.The State of Tamil Nadu,
Rep. by its Secretary to Government,
Home, Prohibition and Excise Department,
Govt. of Tamil nadu,
Fort St.George, Chennai-600 009.
- 2.The Commissioner of Police,
Avadi City – 2, Office of the Commissioner of Police,
(Goondas Section), Avadi, Chennai – 54.
- 3.The Superintendent of Prison,
Central Prison, Puzhal,
Chennai – 600 066.
- 4.The Inspector of Police,
E-5, Sholavaram Police Station,
Chennai – 600 067.

.. Respondents



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Prayer : Petition filed under Article 226 of Constitution of India praying for issuance of Writ of Habeas Corpus to call for the records relating to the detention order dated 02.08.2025 passed by the 2nd respondent in No.114/TNPD/ACP/2025 quash the same and direct the respondents herein to produce the petitioner's husband Santha @ Yogeswaran, S/o. Raja, aged 28 years, who is presently under going detention in Central Prison, Puzhal II, before this Court and set him at liberty forthwith.

For Petitioner : Mr.K.Mohan

For Respondents : Mr.R.Muniyapparaj
Additional Public Prosecutor
assisted by
Mr.M.Sylvester John

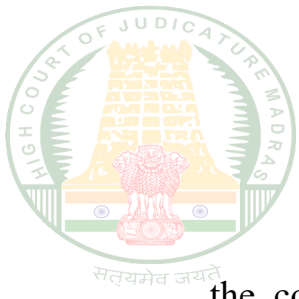
ORDER

(Made by SUNDER MOHAN, J.)

The wife of the detenu - Santha @ Yogeswaran, who has been branded as Goonda under Section 2(f) passed under the provision of Tamil Nadu Preventive Detention Act, 1982, has challenged his detention order dated 01.08.2025.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondents.

3. Learned counsel for the petitioner would submit that the impugned order of detention is liable to be quashed on the sole ground that the detaining authority has referred to the facts of the case relating to



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the co-accused one Sathish @ Loosu Sathish in the impugned order, thereby suggesting that the detaining authority has not applied his mind to the facts of the case.

4. Learned Additional Public Prosecutor has no answer to the above submission.

5. On a perusal of the grounds of detention at page 4, we find that the detaining authority has stated that the detention order has been passed against one Sathish @ Loosu Sathish. It appears that the said person is a co-accused in the ground case along with the detenu. It is also stated that a detention order had also been passed against Sathish @ Loosu Sathish. Presumably the portions in the grounds of detention supplied to the said detenu have been copied and pasted in this grounds of detention. This exhibits a total lack of application of mind and the fact that the order has been passed in a very mechanical manner. So, the impugned detention order is liable to be quashed on this sole ground.

6. In light of the aforesaid discussion, this Habeas Corpus Petition is allowed and the Detention Order passed by the second respondent in No.114/TNPD/APC/2025, dated 02.08.2025 is set aside.

7. The detenu, viz., Santha @ Yogeswaran, S/o. Raja, aged 28 years, who is now confined in Central Prison, Puzhal, Chennai, is hereby

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directed to be set at liberty forthwith unless his presence is required in connection with any other case.

[A.S.M, J.] [S.M, J.]
10.04.2026

Index: Yes/No
Neutral Citation: Yes/No
sl
Note : Issue Today

To

1. The Secretary to Government,
Home, Prohibition and Excise Department,
Govt. of Tamil nadu,
Fort St.George, Chennai-600 009.
2. The Commissioner of Police,
Avadi City – 2, Office of the Commissioner of Police,
(Goondas Section), Avadi, Chennai – 54.
3. The Superintendent of Prison,
Central Prison, Puzhal,
Chennai – 600 066.
4. The Inspector of Police,
E-5, Sholavaram Police Station,
Chennai – 600 067.
5. The Joint Secretary,
Law and Order Department,
Secretariat, Chennai
6. The Public Prosecutor,
High Court, Madras.



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DR. ANITA SUMANTH,J.
and
SUNDER MOHAN,J.

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