

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-04-2026

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THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

**HCP Nos. 1657, 1776, 1669, 1718, 1699,
2001, 1763, 2314, 2305 and 2629 of 2025**

HCP.No.1657 of 2025

Suba Devi
W/o. Premkumar,
No.3/20A, Mangudi,
Sivagangai - 630559.

..Petitioner(s)

Vs

1. The State of TamilNadu, Rep by its Principal Secretary,
Home, Prohibition and Excise Department,
Secretariat Complex,
Chennai-600009.
2. The Commissioner of Police,
Office of Commissioner of Police,
Chennai - 600007.
3. The Superintendent of Prisons,
Central Prison, Puzhal, Chennai - 600066.
4. The Inspector of Police,
F-2, Egmore Police Station, Chennai District.

..Respondent(s)



HCP No. 1776 of 2025

Muthulakshmi
W/o. Muthuramalingam,
3/313, Muthuramalingapuram,
Melapidavoor, Maanamdurai Taluk,
Sivagangai-630606.

..Petitioner(s)

Vs

1. The Additional Chief Secretary To Government,
Home, Prohibition and Excise Department, Fort
St. George, Chennai - 600 009.
2. The Commissioner of Police
Greater Chennai, Vepery, Chennai.
3. The Superintendent Of Prison
Central Prison, Puzhal, Chennai-66.
4. The Inspector of Police
Law and order,
F-2 Egmore Police Station,
Egmore, Chennai.

..Respondent(s)

HCP No. 1669 of 2025

Ilavarasi
W/o. Muthulingam,
No.2/293, South Valavu,
Melur Taluk, Vellalur,
Madurai-625 109.

..Petitioner(s)

Vs

1. The Additional Chief Secretary To Government,
Home, Prohibition and Excise Department,
Secretariat, Chennai-600 009.
2. The Commissioner Of Police,
Greater, Chennai,
Office of the Commissioner of Police (Goondas



Section),
Vepery, Chennai-600 007.

3. The Superintendent Of Prison,
Central Prison Puzhal,
Chennai - 600 066.

4. The Inspector Of Police,
F-2, Egmore Police Station,
Chennai - 600 008.

..Respondent(s)

HCP No. 1718 of 2025

Krishnaveni
D/o. Ravikumar,
101, Old Post office Street,
Manamadurai,
Sivagangai District.

..Petitioner(s)

Vs

1. The State of Tamilnadu, Rep by its Principal
Secretary,
Home, Prohibition and Excise Department,
Secretariat Complex,
Chennai - 600009.

2. The Commissioner of Police,
Office of Commissioner Of Police,
Chennai - 600007.

3. The Superintendent of Prisons,
Central Prison, Puzhal,
Chennai - 600066.

4. The Inspector of Police,
F-2, Egmore Police Station,
Chennai District.

..Respondent(s)



HCP No. 1699 of 2025

Santhipriya
W/o. Prabhu,
101, Old Post Office Street,
Manamadurai,
Sivagangai-630606.

..Petitioner(s)

Vs

1. The State of Tamil Nadu rep by its Principal Secretary
Home, Prohibition and Excise Department,
Secretariat Complex,
Chennai-600009.
2. The Commissioner of Police
Officer of Commissioner of Police,
Chennai-600007.
3. The Superintendent of Prisons
Central Prison, Puzhal,
Chennai-600066.
4. The Inspector of Police
F2-Egmore Police Station,
Chennai District.

..Respondent(s)

HCP No. 2001 of 2025

Susila
W/o. Nagendran,
No.13, Bharadhidasan Street,
Venkateshwara Nagar,
Anagaputhur, Chennai - 600070.

..Petitioner(s)

Vs

1. State of Tamilnadu,
Rep by its Additional Chief Secretary to
Government,
Home, prohibition and Excise Department,



Secretariat, Chennai - 600009.

2. The Commissioner of Police
Greater Chennai.
3. The Inspector of Police
F-2, Egmore Police Station,
Chennai.
4. The Superintendent,
Central Prison, Puzhal, Chennai.

..Respondent(s)

HCP No. 1763 of 2025

Murugan
S/o.Periyakaruppan,
No.3/65, Mallal Village,
Kalaiyarkovil Taluk,
Sivagangai District - 630561.

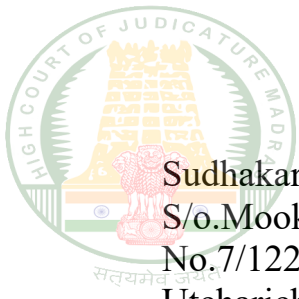
..Petitioner(s)

Vs

1. The Addl. Chief Secretary to the Government,
Home, Prohibition and Excise Department,
Secretariat,
Chennai - 600009.
2. The Commissioner of Police,
Greater Chennai,
Vepery,
Chennai - 600007.
3. The Superintendent
Central Prison, Puzhal,
Chennai - 600066.
4. The Inspector of Police,
F-2, Egmore Police Station,
Chennai.

..Respondent(s)

HCP No. 2314 of 2025



Sudhakaran
S/o.Mookkaiyan,
No.7/122, Kurichipatti,
Utcharichanpatti,
Madurai-625 109.

..Petitioner(s)

Vs

1. The Additional Chief Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat,
Chennai-600 009.
2. The Commissioner of Police,
Greater Chennai,
Office of the Commissioner of Police (Goondas
Section),
Vepery,
Chennai-600007.
3. The Superintendent of Prison,
Central Prison Puzhal,
Chennai-600 066.
4. The Inspector of Police,
F-2, Egmore Police Station,
Chennai-600 008.

..Respondent(s)

HCP No. 2305 of 2025

Sudhakaran
S/o.Mookkaiyan,
No.7/122, Kurichipatti,
Utcharichanpatti,
Madurai - 625 109.

..Petitioner(s)

Vs

1. The Additional Chief Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat, Chennai - 600 009.
2. The Commissioner of Police,



Greater Chennai,
Office of the Commissioner of Police (Goondas
Section),
Vepery, Chennai - 600 007.

3. The Superintendent of Prison,
Central Prison Puzhal,
Chennai - 600 066.
4. The Inspector of Police,
F-2, Egmore Police Station,
Chennai - 600 008.

..Respondent(s)

HCP No. 2629 of 2025

Muthukumar
F/o. Chellapandi,
No.234, Thendral Nagar,
High School Road, Kalayarkovil taluk,
Sivagangai District.

..Petitioner(s)

Vs

1. State of Tamil Nadu Represented by its
Secretary, Prohibition and Excise Department,
Fort St.George, Chennai 600 009.
2. The Commissioner of Police
office of the Commissioner of Police,
Chennai District.
3. The Superintendent of Prison
Central Prison, Puzhal, Chennai District.
4. The Inspector of Police
F-2, Egmore Police Station,
Chennai District.

..Respondent(s)

Prayer in HCP No. 1657 of 2025: Habeas Corpus Petition filed under Article 226 of Constitution of India for issuance of a Writ of Habeas Corpus or any other Writ or a Direction, Calling for the records relating to the detention order in 486/BBCDEFGISSSV/2025 dated 24.07.2025 passed by the 2nd



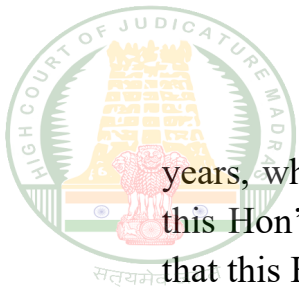
Respondent Under the Tamilnadu Act 14 of 1982 and quash the same and direct the Respondents to produce the detenu Premkumar, aged 35 years, S/o. Manickam, who is presently confined in the Central Prison, Puzhal, Chennai before this Hon'ble Court and set him at liberty.

Prayer in HCP No. 1776 of 2025: Habeas Corpus Petition filed under Article 226 of Constitution of India for issuance of a Writ of Habeas Corpus or any other writ or order in the nature of Writ of call for the records in connection with the order of detention passed by the 2nd respondent dated 24.07.2025 in detention order NO.484/BBCDEFGISSSV/2025 against the petitioner's husband Muthuramalingam, male, aged about 45 years, S/o. Saivam who is confined at Central Prison, Puzhal, Chennai-66 and set aside the same and consequently direct the respondents to produce the detenu before this Honble Court and set him at liberty.

Prayer in HCP No. 1669 of 2025: Habeas Corpus Petition filed under Article 226 of Constitution of India for issuance of a Writ of Habeas Corpus or any other Writ or Direction, calling for the entire records connected with the detention order of the 2nd respondent in No.483/BBCDEFGISSSV/2025 dated 24.07.2025 and quash the same and direct the respondents to produce the body and person of the petitioner's husband namely Muthulingam, S/o.Balasubramanian aged about 42 years detained in Central Prison, Puzhal, Chennai before this Honble Court and set him at liberty.

Prayer in HCP No. 1718 of 2025: Habeas Corpus Petition filed under Article 226 of Constitution of India for issuance of a Writ of habeas Corpus or any other writ or a direction, Calling for the records relating to the detention order in No.488/BBCDEFGISSSV/2025 dated 24.07.2025 passed by the 2nd respondent under the Tamil Nadu Act 14 of 1982 and quash the same and direct the Respondents to produce the detenu Dheena @ Dhinakaran, S/o. Ravikumar, aged 35 years, who is presently confined in the Central Prison, Puzhal, Chennai before this Hon'ble Court and set him at liberty.

Prayer in HCP No. 1699 of 2025: Habeas Corpus Petition filed under Article 226 of Constitution of India for issuance of a Writ of habeas Corpus or any other Writ or direction, calling for the records relating to the detention order in 485/BBCDEFGISSSV/2025 dated 24.07.2025 passed by the 2nd respondent under the Tamil Nadu Act 14 of 1982 and quash the same and direct the respondents to produce the detenu Kamal @ Prabhu, S/o. Muniyasamy, aged 35



years, who is presently confined in the Central Prison, Puzhal, Chennai before this Hon'ble Court and set him at liberty and pass such further or other orders that this Hon'ble Court.

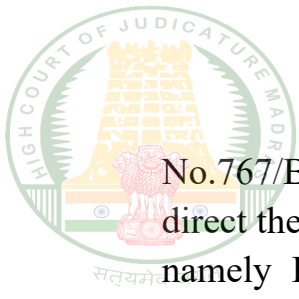
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Prayer in HCP No. 2001 of 2025: Habeas Corpus Petition filed under Article 226 of Constitution of India for issuance of a Writ of Habeas Corpus or any other appropriate Writ, order or direction, in the nature of Writ of Habeas Corpus to call for the entire records, relating to petitioner's husband detention under Tamil nadu Act 14 of 1982 vide detention order, dated 11.08.2025 on the file of the second respondent herein made in proceedings No.559/BBCDEFGISSSV/2025 and quash the same as illegal and consequently direct the respondents herein to produce the said petitioner's husband namely Nagendran, aged 60 years, Son of Murugan, before this Hon'ble High Court and set him at liberty, now petitioners husband detained at Central Prison, Puzhal, Chennai 600066.

Prayer in HCP No. 1763 of 2025: Habeas Corpus Petition filed under Article 226 of Constitution of India for issuance of a Writ of Habeas Corpus or any other writ or order in the nature of writ call for the records in connection with the order of Detention passed by the 2nd Respondent dated 24.07.2025 in No.487/BBCDEFGISSSV/2025 against the petitioner's brother Thiru.Prabu, aged 42 years, S/o.Periya Karuppan, who is confined at Central Prison, Puzhal, Chennai and to set aside the same and consequently direct the Respondents to produce the detenu before the Hon'ble Court and set him at liberty.

Prayer in HCP No. 2314 of 2025: Habeas Corpus Petition filed under Article 226 of Constitution of India for issuance of a Writ of Habeas Corpus or any other writ of Habeas Corpus or any other Writ or direction, Calling for the entire records connected with the detention order of the 2nd respondent in No.768/BBCDEFGISSSV/2025 dated 07.10.2025 and quash the same and direct the respondents to produce the body and person of the petitioner's brother namely Karthik @ Karthikeyan S/o.Muthukumar aged about 39 years detained in Central Prison, Puzhal, Chennai before this Honourable Court and set him at liberty.

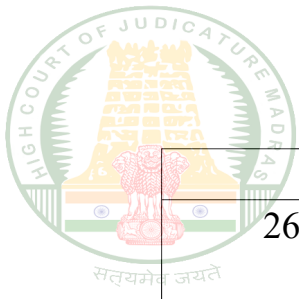
Prayer in HCP No. 2305 of 2025: Habeas Corpus Petition filed under Article 226 of Constitution of India for issuance of a Writ of Habeas Corpus or any other Writ of Habeas Corpus or any other Writ of Direction, calling for the entire records connected with the detention order of the 2nd respondent in



No.767/BBCDEFGISSSV/2025 dated 07.10.2025 and quash the same and direct the respondents to produce the body and person of the petitioner's brother namely Bharathi S/o.Mookkaiyan aged about 35 years detained in Central Prison, Puzhal, Chennai, before this Honourable Court and set him at liberty forthwith and pass such further or others orders as this Hon'ble Court.

Prayer in HCP No. 2629 of 2025: Habeas Corpus Petition filed under Article 226 of Constitution of India for issuance of a writ of Habeas Corpus or any other appropriate Writ or Order or direction 07.10.2025 in detention order No.769/BBCDEFGISSSV/2025 on the file of the Second Respondent herein and quash the same and direct the Respondents herein to produce the my son of the detenu Chellapandi, S/o. Muthukumar Hindu aged about 27 Years, who is now confined in central prison Puzhal before the Hon'ble Court and set him at liberty and pass such further or other orders.

HCP.Nos.	For petitioner	For respondents
1657 and 2001 of 2025	Mr.C.C.Chellappan	Mr. R. Muniyapparaj Additional Public Prosecutor Assisted By Mr. M. Sylvester John
1776 of 2025	Mr.M.Soundar Vijay Arul Ram	Mr. R. Muniyapparaj Additional Public Prosecutor Assisted By Mr. M. Sylvester John
1669, 2314 and 2305 of 2025	Mr.B.M.Santharam	Mr. R. Muniyapparaj Additional Public Prosecutor Assisted By Mr. M. Sylvester John
1718 and 1699 of 2025	Ms.Vindhya	Mr. R. Muniyapparaj Additional Public Prosecutor Assisted By Mr. M. Sylvester John
1763 of 2025	Mr.R.Anbazhagan	Mr. R. Muniyapparaj Additional Public Prosecutor Assisted By



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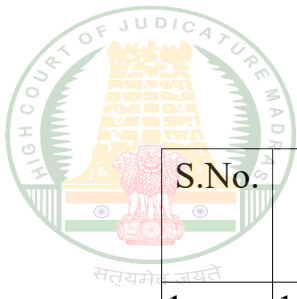
2629 of 2025	Mr.R.Thamarai Selvan	Mr. M. Sylvester John Mr. R. Muniyapparaj Additional Public Prosecutor Assisted By Mr. M. Sylvester John
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COMMON ORDER

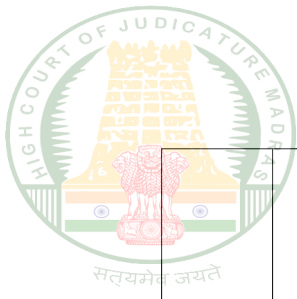
(Order of the Court was made by Dr.Anita Sumanth J.)

We have heard Mr.C.C.Chellappan, learned counsel for the petitioners in HCP Nos. 1657 and 2001 of 2025, Mr.M.Soundar Vijay Arul Ram, learned counsel for the petitioner in HCP No.1776 of 2025, Mr.B.M.Santharam, learned counsel for the petitioners in HCP Nos.1669, 2314 and 2305 of 2025, Ms.Vindhya, learned counsel for the petitioner in HCP Nos. 1718 and 1699 of 2025, Mr.R.Anbazhagan, learned counsel for the petitioner in HCP No.1763 of 2025, Mr.R.Thamarai Selvan, learned counsel for the petitioner in HCP No.2629 of 2025 and Mr.Muniyapparaj, learned Additional Public Prosecutor assisted by Mr.Sylvester John, learned counsel for the respondents.

2. This is a batch of 10 HCPs, where the detenus are all co-accused in Cr.No.490 of 2025. All the detenus have been branded as Goonda in terms of Section 2(f) of the Tamil Nadu Preventive Detention Act, 1982 (Tamil Nadu Act 14 of 1982) (in short 'Act'). The details of detention, such as name of the detenu, corresponding HCP, date of detention and name of the prison in which the detenus are confined are as follows:



S.No.	HCP.No.	Details of the detenu	Detention Order details	Confined in
1.	1657 of 2025	Premkumar, male, aged 35, S/o.Manickam	No.486/ BBCDEFGISSSV/ 2025 dated 24.07.2025	Central Prison, Puzhal, Chennai.
2.	1776 of 2025	Muthuramalingam, male, aged 45, S/o.Saivam	No.484/ BBCDEFGISSSV/ 2025 dated 24.07.2025	Central Prison, Puzhal, Chennai.
3.	1669 of 2025	Muthulingam, male, aged 42, S/o.Balasubramanian	No.483/ BBCDEFGISSSV/ 2025 dated 24.07.2025	Central Prison, Puzhal, Chennai.
4.	1718 of 2025	Dheena @ Dinakaran, male, aged 35, S/o.Ravikumar	No.488/ BBCDEFGISSSV/ 2025 dated 24.07.2025	Central Prison, Puzhal, Chennai.
5.	1699 of 2025	Kamal @ Prabhu, male, aged 35, S/o.Muniasamy	No.485/ BBCDEFGISSSV/ 2025 dated 24.07.2025	Central Prison, Puzhal, Chennai.
6.	2001 of 2025	Nagendran, male, aged 60, S/o.Murugan	No.559/ BBCDEFGISSSV/ 2025 dated 11.08.2025	Central Prison, Puzhal, Chennai.
7.	1763 of 2025	Prabu, male, aged 42, S/o.Periya Karuppan	No.487/ BBCDEFGISSSV/ 2025 dated 24.07.2025	Central Prison, Puzhal, Chennai.
8.	2314 of 2025	Karthik @	No.768/	Central Prison,

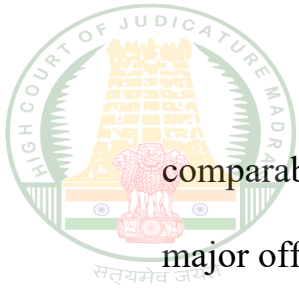


		Karthikeyan, male, aged 39, S/o.Muthukumar	BBCDEFGISSSV/ 2025 dated 07.10.2025	Puzhal, Chennai.
9.	2305 of 2025	Bharathi, male, aged 35, S/o.Mookkaiyan	No.767/ BBCDEFGISSSV/ 2025 dated 07.10.2025	Central Prison, Puzhal, Chennai.
10.	2629 of 2025	Chellapandi, Male, aged 27, S/o.Muthukumar	No.769/ BBCDEFGISSSV/ 2025 dated 07.10.2025	Central Prison, Puzhal, Chennai.

3. The sequence in terms of which charge sheet has been laid are also identical across the detenus, being under Sections 61(2), 126(2), 137(2) and 310(2) of the Bharatiya Nyaya Sanhita Scheme, 2023 (BNSS).

4. All learned counsel for the petitioner, in one voice, would assail the impugned orders of detention stating that there has been non-application of mind by the detaining authority to the matter. The primary ground on which their defence rests is that the authority has proceeded on the basis that the detenus will be enlarged on bail citing the order passed in CrI.O.P.No.25228 of 2024 dated 14.10.2024.

5. Per contra, learned Additional Public Prosecutor would submit that though there were some incidental differences between the crimes in the



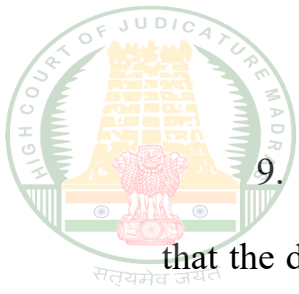
comparable case and the case of the detenus, the offences committed were all major offences attracting similar punishments.

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6. Hence, notwithstanding that there is no identity between the case of the detenus and the comparable case cited by the detaining authority, the differences are not such as to vitiate the subjective satisfaction of the officer. He would also submit that in three of the cases, the detenus (HCP Nos.2314, 2305 and 2629 of 2025) have been detained only in October, 2025 and hence there is no justification to intervene in their cases as of now.

7. In all cases, the detaining authority has relied upon the order passed by this Court on 14.10.2024 in CrI.O.P.No.25228 of 2024 granting bail to the accused in that case. However, on a comparison of the offences in the present cases and in that case, we find that there is no identity, in that the major offence in the relied-upon case is in respect of robbery, whereas in the present case, the offences alleged are conspiracy, kidnapping and dacoity as a group with arms. In fact, the offences in the present matters are far graver in nature.

8. Hence, as rightly pointed out by the learned counsel for the petitioners, there is no justification or basis for the subjective satisfaction of the detaining authority while comparing the case of the petitioners with that of the accused in CrI.O.P.No.25228 of 2024.

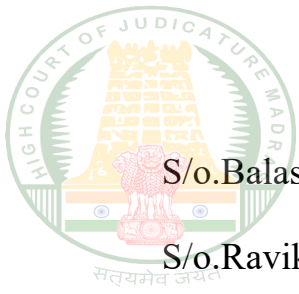


9. As regards the objection of the learned Additional Public Prosecutor that the detention in some of the cases are only in October, 2025, we may only point out that there is no minimum period of detention that is required under an order of preventive detention. Once the Court finds that the subjective satisfaction of the detaining authority is unjustified and reveals non-application of mind, preventive detention, even for a day, cannot stand.

10. In fact, the consolidation of these petitions is only at the instance of the learned Additional Public Prosecutor who had sought clubbing of the matters, and rightly so, on the ground that the detenus were co-accused in the same crime number.

11. In light of the aforesaid discussion, these Habeas Corpus Petitions are allowed and the Detention Orders passed by the second respondent in 486/BBCDEFGISSSV/2025 dated 24.07.2025, 484/BBCDEFGISSSV/2025 dated 24.07.2025, No.483/BBCDEFGISSSV/2025 dated 24.07.2025, No.488/BBCDEFGISSSV/2025 dated 24.07.2025, No.485/BBCDEFGISSSV/2025 dated 24.07.2025, No.559/BBCDEFGISSSV/2025 dated 11.08.2025, No.487/BBCDEFGISSSV/2025 dated 24.07.2025, No.768/BBCDEFGISSSV/2025 dated 07.10.2025, No.767/BBCDEFGISSSV/2025 dated 07.10.2025 and No.769/BBCDEFGISSSV/2025 dated 07.10.2025 are set aside.

12. The detenus, viz., Premkumar, S/o. Manickam, male aged 35 years, Muthuramalingam, S/o. Saivam, male aged 45 years, Muthulingam,



S/o.Balasubramanian, male aged 42 years, Dheena @ Dinakaran,

S/o.Ravikumar, male aged 35 years, Kamal @ Prabhu, S/o.Muniyasamy, male

aged 35 years, Nagendran, S/o.Murugan, male aged 60 years, Prabu, S/o.Periya

Karuppan, male aged 42 years, Karthik @ Karthikeyan, S/o.Muthukumar, male

aged 39 years, Bharathi, S/o.Mookkaiyan, male aged 35 years and Chellapandi,

S/o.Muthukumar, male aged 27 years, who are now confined in Central Prison,

Puzhal, Chennai, are directed to be set at liberty forthwith unless their presence

is required in connection with any other case.

(A.S.M.,J.) (S.M.,J.)
06-04-2026

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Index: Yes/No

Speaking order

Neutral Citation: Yes

Note: Issue today.

To

1. The Principal Secretary,
Home, Prohibition and Excise Department,
Secretariat Complex,
Chennai-600009.
2. The Additional Chief Secretary To Government,
Home, Prohibition and Excise Department, Fort St. George, Chennai - 600
009.
3. The Commissioner of Police,
Office of Commissioner of Police,
Chennai - 600007.



4. The Superintendent of Prisons,
Central Prison, Puzhal, Chennai - 600066.

5. The Inspector of Police,
F-2, Egmore Police Station,
Chennai District.

6. The Public Prosecutor,
High Court of Madras.

7. The Joint Secretary to Government,
Public (Law and Order),
Secretariat, Fort.St.George, Chennai -9.

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HCP No. 1657 of 2025 & etc ba



DR.ANITA SUMANTH J.

AND

SUNDER MOHAN J.

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**HCP Nos. 1657, 1776, 1669, 1718, 1699,
2001, 1763, 2314, 2305 and 2629 of 2025**

06-04-2026

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