

HCP No.360 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-07-2026

CORAM

THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

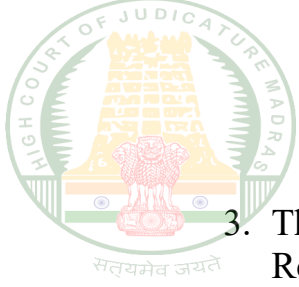
HCP No. 360 of 2026

Rekha
W/o.Vijay
Residing at No.5, Jaganathapuram 2nd Street,
Chetpet,
Chennai,
Tamil Nadu – 600 031.

...Petitioner/Mother of
the Detenu

Vs

1. The State of Tamil Nadu
Rep. by the Additional Chief Secretary,
Home, Prohibition and Excise Department,
Secretariat, Chennai,
Tamil Nadu - 600 009.
2. The State of Tamil Nadu
Rep. by the Commissioner of Police,
Greater Chennai Police,
Commissioner Office Building,
EVK Sampath Road, Vepery,
Chennai,
Tamil Nadu – 600 007.



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3. The State of Tamil Nadu
Rep. by The Superintendent of Prisons,
Central Prison, Puzhal,
Tamil Nadu – 600 066.

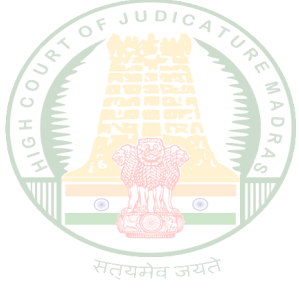
4. The State of Tamilnadu
Rep. by the Inspector of Police,
G-7 Chetpet Police Station,
Chennai, Tamil Nadu - 600 031.

...Respondents

Prayer : Petition filed under Article 226 of Constitution of India praying for issuance of Writ of Habeas Corpus, calling for the records of pertaining to the order of detention dated 21.11.2025 passed by the 2nd respondent in TPDA : 8035 in Memo No.972/BBCDEFGISSSV/2025 and quash the same and produce the detenue, Vallavan, Son of Vijay, male aged about 19 years who is detained Goondas in Central Prison, Puzhal, Chennai before this Court and set him at liberty.

For Petitioner: Mr.Krishen.M

For Respondents: Mr.C.R.Malarvannan
Counsel for Government of Tamil Nadu
(Criminal Side)

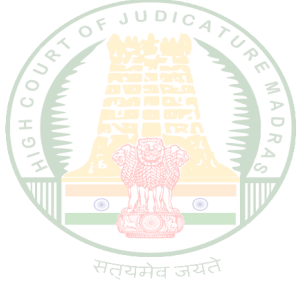
**ORDER****(Order of the Court was made by Sunder Mohan J.)**

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The mother of the detenu – Vallavan, S/o.Vijay, aged 19 years, has filed this petition challenging the detention order dated 21.11.2025, branding him as a ‘Goonda’ under Section 2(f) of the Tamil Nadu Preventive Detention Act, 1982 (Act 14/1982).

2. We have heard the learned counsel for the petitioner and the learned counsel for Government of Tamil Nadu (Crl.Side) for the respondents.

3. The learned counsel for the petitioner would submit that the impugned order of detention has to be set aside for the reason that the Government Order delegating the power of detention to the 2nd respondent herein has not been furnished to the detenu, thereby denying the detenu to make an effective representation against the detention order.

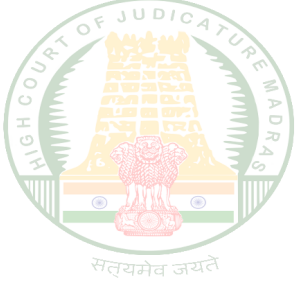


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4. The learned counsel for Government of Tamil Nadu (Crl.Side) for respondents, would fairly concede that the Government Order was not furnished to the detenu.

5. It is seen from the booklet that the Government Order has not been furnished to the detenu. It is well settled that if the relied upon documents are not furnished to the detenu, his right to make effective representation would be denied. In '*Powanammal Vs. State of Tamil Nadu*' reported in '*(1999) 2 SCC 413*', the Hon'ble Supreme Court had held that non-supply of relevant documents to the detenu renders the detention illegal.

6. Accordingly, this Habeas Corpus Petition is allowed and the Detention Order passed by the second respondent in Detention Order No.972/BBCDEFGISSSV/2025 dated 21.11.2025 is set aside.



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7. The detenu, viz., Vallavan, S/o.Vijay, aged 19 years, now confined in Central Prison, Puzhal, Chennai, is 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.)
17-07-2026

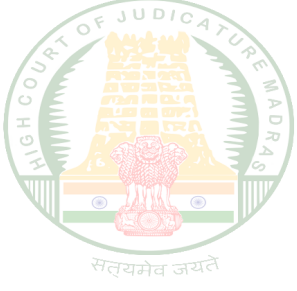
Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

Note: Issue order copy today.

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To

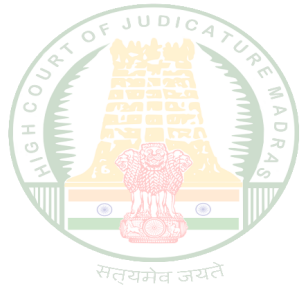
1. The Additional Chief Secretary,
Home, Prohibition and Excise Department,
Secretariat, Chennai,
Tamil Nadu - 600 009.
2. The Commissioner of Police,
Greater Chennai police, Commissioner Office
Building,
EVK Sampath Road, Vepery, Chennai,
Tamil Nadu - 600007.
3. The Superintendent of Prisons,
Central Prison, Puzhal,
Tamil Nadu – 600 066.



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4. The Inspector of Police,
G-7 Chetpet Police Station,
Chennai, Tamil Nadu - 600 031.
5. The Joint Secretary,
Law and Order Department,
Secretariat, Chennai – 600 009.
6. The Public Prosecutor,
High Court of Madras.



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**DR.ANITA SUMANTH, J.
AND
SUNDER MOHAN, J.**

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